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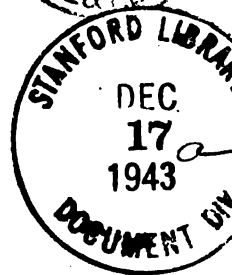








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I N D E X

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OF

GENERAL ORDERS,

ADJUTANT GENERAL'S OFFICE,

1874.

STANDARD EDITION

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1875.





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GENERAL ORDERS }  
No. 1. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, January 2, 1874.*

The disbursement during the first half of the current fiscal year of the greater part of the amounts appropriated for "Regular supplies," "Incidental expenses," and "Army transportation," involves the necessity of considerable retrenchment during the remainder of the year.

To this end, the Quartermaster General and other Heads of Bureaus will carefully scrutinize the reports of citizens employed in their Departments at different points, and direct the immediate discharge of all such as are not absolutely necessary to perform the service required by law, regulations, and War Department orders, reporting the result of their action without delay to the Secretary of War.

The purchase of supplies and other expenditures will also be reduced to the lowest possible limit.

Estimates for funds will hereafter be made in time to enable the Heads of Bureaus to transmit them so as to reach the Disbursing Officers by the 1st day of the month for which they are designed; and they will always exhibit the amount of funds on hand available for the purposes estimated for.

The estimates for paying employés will not exceed the amounts paid during the preceding month, excepting in cases of emergency or when authorized by proper authority, which must be fully explained.

Remittances will be made in such sums that Chief Disbursing Officers (excepting Paymasters) of Divisions, Departments, and Depots shall at no time have on hand more than sufficient to meet the authorized expenditures for one month; and these remittances must from month to month be made to conform to the unexpended residues of the respective appropriations.

The rates of pay heretofore allowed citizen employés in the Army, whose compensation is not fixed by law, will be reduced as far as practicable.

Officers making inspections are required to examine and report whether Disbursing Officers comply with the requirements of this order.

It is expected that Commanders of Divisions and Departments will co-operate, and exercise their authority in carrying out the measures of retrenchment herein directed.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 2. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, January 9, 1874.*

The following described books will hereafter be kept in the office of every officer of the Quartermaster's Department, and of every officer doing duty in that Department:—

1st. Cash Book, in which will be entered, according to appropriations, all amounts of Quartermaster's funds received and disbursed; the date thereof; from whom received or to whom paid, and on what account.

2d. A book of Letters Received, including a record of indorsements on papers sent out.

3d. A book of Letters Sent, in which will be entered in full all letters written from and pertaining to the duties of the office, including estimates for funds and requisitions for Quartermaster's supplies.

Suitable books for these purposes will be supplied by the Quartermaster General on requisition. They will not be removed from the office for which furnished, except on its discontinuance, when they will be forwarded to the Quartermaster General. It is made the duty of commanding officers to see that these books are kept at posts, and that they are transferred by relieved to relieving officers.

All letters received, copies of all orders and of authorizations for the expenditure of money or property, will remain on file as part of the records of the office. They should be recorded in the Letters Received book and numbered according to the instructions of the War Department dated October 1, 1870, and be neatly put up in packages of convenient size.

When it is necessary to withdraw a letter for file with an officer's accounts, a copy will be made to replace it in the office file.

Letters pertaining exclusively to the settlement of an officer's accounts belong to him and not to the office files.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS } WAR DEPARTMENT,  
NO. 3. } ADJUTANT GENERAL'S OFFICE,  
Washington, January 10, 1874.

The following named National Cemeteries, in addition to those named in General Orders No. 51, June 22, 1872, from this office, are announced as belonging to the *fourth class* :—

Fort McPherson, Nebraska.

Loudon Park, Maryland.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 4. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, January 12, 1874.*

The following interpretations of the effect of the pardon extended in General Orders No. 102, of 1873, have received the concurrence of the Second Comptroller of the Treasury:

I.. When deserters enlist into other regiments their period of service during such enlistment cannot (under the 22d Article of War) be estimated in making good the time lost by desertion under their first enlistment. When that class of deserters have surrendered under the pardon of the President, announced in General Orders No. 102, of 1873, their pay will commence from the date of surrender.

II.. By a decision of the Second Comptroller, of 24th May, 1866, "a soldier enlisting while a deserter, and afterwards restored to duty on first enlistment, must refund all pay, &c, received during the fraudulent enlistment." (*See paragraph 249, Paymaster's Manual, 1871.*) By the pardon extended in General Orders No. 102, of 1873, it is understood that this refundment is remitted to those surrendering under said orders.

III.. But it will not be considered that those who have surrendered under said order are entitled to the retained pay provided in the act of 15th May, 1872, as said act provides that it "shall be forfeited unless he [the soldier] shall have served honestly and faithfully to the date of discharge."

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 5.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, January 23, 1874.*

Rumors injurious to the reputation of an officer or liable to produce mischief if incorrect, will not be reported by Inspectors without careful investigation and definite ascertainment of facts.

Whenever it becomes the duty of an Inspector to investigate reports, allegations, or irregularities prejudicial to the character of a commissioned officer, he will invariably make known to that officer the nature of the accusations against him, and give him an opportunity to make, in writing, his own statement upon the subject. which statement will be embodied in, and form part of, the Inspector's report.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 6. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, January 26, 1874.

At the request of the Quartermaster General, the following directions are published to the Army:

Officers serving in the Quartermaster's Department are instructed that amounts *withheld* for other Departments to cover charges against creditors of the Government, on making payments to such creditors, will be disposed of in the same manner as amounts *refunded*—*i. e.*, placed at once in the nearest U. S. depository to the credit of the Treasurer of the U. S. on account of the Department for which the charge is made—and the original certificate of deposit will be forwarded to the Quartermaster General, accompanied by a statement of the reasons for making the deduction, the name of any officer thereby relieved of responsibility, and, generally, any information required by existing orders. The amount deposited will be drawn from the appropriation from which the account is paid.

Amounts withheld on account of appropriations for the Quartermaster's Department will simply be carried to the proper appropriation on the account-current, no deposit being necessary.

For example: If from an account of \$100 for transportation services there is a deduction of \$25 for Ordnance stores lost, the Quartermaster will take credit, under the head of "Transportation of the Army," for \$75 paid to the carrier, and also for \$25 deposited to the credit of the U. S. Treasurer on account of the Ordnance Department; but if the deduction is on account of forage lost by the carrier, he will take credit on his account-current, under transportation, for \$25 as carried to "Regular Supplies," under which head he will charge himself with that amount.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 8. }

WAR DEPARTMENT.  
ADJUTANT GENERAL'S OFFICE,  
*Washington, February 2, 1874.*

The ordnance and ordnance stores now in store at the Leavenworth Arsenal will be transferred to Rock Island Arsenal, or otherwise disposed of, and as soon thereafter as practicable the Chief of Ordnance will turn over the Arsenal to the Quartermaster General for the use of the line of the Army.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 9.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE.

*Washington, February 5, 1874.*

Hereafter no issues of arms, ammunition, or other ordnance stores, will be made to Indians not in the employ of the War Department as scouts.

Department Commanders may, at exposed frontier settlements in cases of emergency, direct the sale of arms and ammunition to actual settlers for their protection, and General Orders No. 81, Adjutant General's Office, of 1872, is modified accordingly.

Officers who make such sales will be required to file with their returns the authority of the Department Commander for the sale, and his explanation of the emergency requiring it.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 10.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, February 11, 1874.*

I...The following extracts from "Circular Instructions Concerning the Proper Disposition of Certificates of Deposit," issued by the Treasury Department, are published for the information and guidance of all concerned:—

TREASURY DEPARTMENT,  
*January 21, 1874.*

The third Section of the Act of March 3, 1857, requires the forwarding forthwith to the Secretary of the Treasury of one of the certificates of deposit for every deposit of public moneys. As these certificates of deposit constitute an important check upon the transactions of the different Government Depositaries, and are required at the Treasury Department at the earliest possible moment for verification with the accounts of said Depositaries, the following regulations concerning their future disposition are hereby prescribed, which, as they are based upon express provisions of law, will be expected to be strictly complied with:

Hereafter the originals of all certificates of deposit for the deposit of any and all public moneys of every character and description, *except as stated in the next succeeding paragraph*, should be forwarded to the Secretary of the Treasury immediately upon their issue by the depositors, (not the Depositaries,) who, before transmitting them, should see that their amounts correspond with the amounts actually deposited by them.

#### EXCEPTIONS.

Those issued to Disbursing Officers for disbursing funds deposited to their own official credit, subject to the payment of their checks, and more properly called Disbursing Officers' receipts, should be retained in their own possession; those issued for the transfer of funds from one Government Depository to another, and on account of fractional currency, should be forwarded to the Treasurer of the United States; and those issued for the deposit of moneys pertaining to the Post Office Department should be forwarded to the Third Assistant Postmaster General.

Certificates of deposit should be issued as follows:—

\* \* \* \* \*

#### ARMY AND NAVY.

Those issued to military or naval officers, either on account of repayments, sales of public property, or otherwise, *in duplicate*; the duplicates to be retained by the depositors.

\* \* \* \* \*

#### GENERAL REMARKS.

In no case are certificates of deposit required to be filed with accounts rendered by Government officers to the accounting officers of the Treasury Department, nor does such a disposition of any certificates of deposit secure to the officers transmitting them proper credits in their accounts. Credits are only given officers in the settlement of their accounts upon warrants, which

warrants are issued by the Secretary of the Treasury, and based upon the original certificates of deposit. In taking credit in their accounts current, however, for deposits made, officers should state specifically the date of the deposit, and the designation and location of the depository in which the deposit was made, as well as the source, &c. All original certificates of deposit in favor of military, naval, and other officers, the amounts of which are required to be listed and recorded in the offices of any of the heads of the bureaus of the War, Navy, Interior, or other Executive Departments, will immediately upon their receipt—a record having first been made of them for verification with the proper depository accounts—be forwarded to the head of the respective Department to which the deposits pertain for designation of the proper appropriations, &c.

WM. A. RICHARDSON,  
*Secretary of the Treasury.*

II...So much of General Orders No. 65, of 1871, from this office, as requires the originals of Certificates of Deposit to be forwarded to the Chiefs of Bureaus is hereby revoked, together with such portions of any other existing orders or instructions as are contrary to the foregoing regulation, that "the originals of all Certificates of Deposit" (with the exceptions noted in the Treasury Circular) "should be forwarded to the Secretary of the Treasury immediately upon their issue by the depositors."

III...Disbursing officers, when they make deposits of money to the credit of the Treasurer of the United States, will furnish the depository such statement in writing as will show whether said deposits are—

1st. *Transfers of Funds*—That is, moneys to be paid to the officer or to be placed to his credit in some other office. It will be observed that the changing of credit from the account of the officer to that of the Treasurer of the United States is not in itself a transfer of funds, and that actual transfers have the effect of increasing the Treasurer's balance when the deposit is made, and decreasing it when the money is paid or placed to the credit of the officer. In such cases the officer should make the deposit as a "Transfer of Funds" from the office (naming it) where he is to receive the money.

2d. *Repayments*—That is, moneys advanced to the officer in excess of the requirements of the service, or which for any reason he cannot pay out.

In these cases the officer should deposit as a "Repayment" of "Transportation Funds," "Subsistence Funds," "Funds for the

Payment of Troops," "Recruiting Funds," &c., &c., as the case may be. If the date of the appropriation to which the deposit belongs is known it should be named also.

3d. *Revenues*—That is, moneys to be paid into the Treasury under the 5th section of the act of May 8, 1872—"Proceeds of Sales of Stores."

IV...Disbursing officers, immediately after making the deposits alluded to in the foregoing paragraph, will notify the Chief of the Bureau controlling the appropriation of the fact, communicating at the same time any information that will enable the specific appropriation to be designated.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



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GENERAL ORDERS }  
No. 11. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, February 12, 1874.*

General Orders No. 7, January 30, 1874, from this Office, is hereby  
revoked.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
NO. 12. } ADJUTANT GENERAL'S OFFICE,  
Washington, February 16, 1874.

By direction of the President, Brigadier General AMOS B. EATON, Commissary General of Subsistence, having served faithfully more than forty-five years, is retired from active service, to take effect May 1, 1874. His name will be entered accordingly on the list of retired officers of the grade to which he now belongs, under section 12, act approved July 17, 1862.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
No. 13. } ADJUTANT GENERAL'S OFFICE,  
Washington, February 16, 1874.

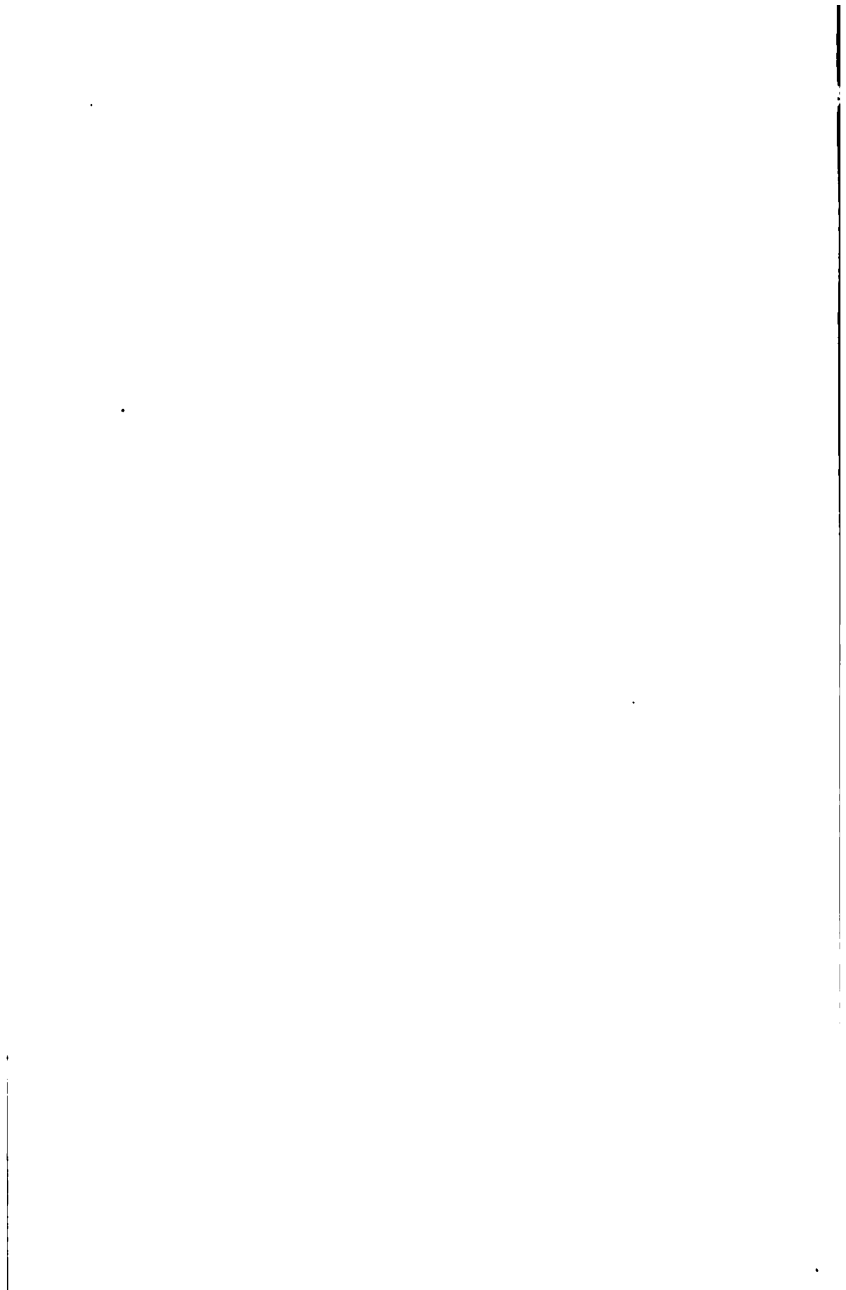
When a ration in kind *per diem* is issued to civilian employes of any branch of the military service serving at places where facilities for convenient and economical table-board do not exist, the cost of such ration will, hereafter, be estimated at twenty-five cents, and be deducted in making payment of wages, where the wages exceed sixty dollars per month.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 14. }

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, February 16, 1874.

The following Joint Resolution of Congress is published for the information and government of all concerned:

JOINT RESOLUTION authorizing a special court of inquiry concerning General O. O. Howard.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby authorized and requested to convene a court of inquiry, to consist of not less than five officers of the Army, whose duty it shall be, when so convened, to fully investigate all the charges against Brigadier General O. O. Howard contained in the communication of the Secretary of War to the Speaker of the House of Representatives, of date December fourth, eighteen hundred and seventy-three, and the fifth day of January, eighteen hundred and seventy-four, and to report their opinion as well upon moral as upon technical and legal responsibility for such offenses, if any, as may be discovered: *Provided,* That the accused may be allowed the same right of challenge as allowed by law in trials by Court Martial.

*Approved February 13, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS

No. 15.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, February 17, 1874.

I...The following sections of "*An act to establish the Department of Justice,*" approved June 22, 1870, and published in General Orders No. 80, July 1, 1870, from this Office, are *republished* for the information and guidance of all concerned :

SEC. 6. *And be it further enacted,* That whenever a question of law arises in the administration, either of the War or Navy Department, the cognizance of which is not given by statute to some other officer from whom the head of either of these departments may require advice, the same shall be sent to the Attorney General, to be by him referred to the proper officer in his department provided for in this act, or otherwise disposed of as he may deem proper; and each head of any department of the Government may require the opinion of the Attorney General on all questions of law arising in the administration of their respective departments.

SEC. 14. *And be it further enacted,* That the Attorney General may require any solicitor or officers of the Department of Justice to perform any duty required of said department or any officer thereof; and the officers of the Law Department, under the direction of the Attorney General, shall give all opinions and render all services requiring the skill of persons learned in the law necessary to enable the President and heads of the Executive Departments, and the heads of bureaus and other officers in such departments, to discharge their respective duties; and shall, for and on behalf of the United States, procure the proper evidence for, and conduct, prosecute, or defend all suits and proceedings in the Supreme Court of the United States, and in the Court of Claims, in which the United States or any officer thereof is a party or may be interested. And no fees shall be allowed or paid to any other attorney or counselor-at-law for any service herein required of the officers of the Department of Justice.

SEC. 17. *And be it further enacted,* That it shall not be lawful for the Secretary of either of the Executive Departments to employ attorneys or counsel at the expense of the United States; but such departments, when in need of counsel or advice, shall call upon the Department of Justice, the officers of which shall attend to the same; and no counsel or attorney fees shall hereafter be allowed to any person or persons, besides the respective district attorneys and assistant district attorneys, for services in such capacity to the United States or any branch or department of the Government thereof, unless hereafter authorized by law, and then only on the certificate of the Attorney General that such services were actually rendered, and that the same could not be performed by the Attorney General, or Solicitor General, or the officers of the Department of Justice, or by the district attorneys. And every attorney and counselor who shall be specially retained, under the authority of the Department of Justice, to assist in the trial of any case in which the Government is interested, shall receive a commission from the head of said department, as a special assistant to the Attorney General or to some one of the district attorneys, as the nature of the appointment may require, and shall take the oath required by law to be taken by the district attorneys, and shall be subject to all the liabilities imposed upon such officers by law.

II...Special attention is hereby directed to the provisions of section 17, quoted in the foregoing paragraph, and to General Orders No. 63 of 1873, from this Office, enjoining upon officers a strict observance of the requirements of said section.

Officers and others connected with the military service who may require the services of an attorney or counselor will make request, with report of the facts, through the regular military channels, (except in cases which will not admit of delay, when request may be sent direct,) to the Adjutant General; and any officer or other person in the military service who shall employ an attorney or counselor will be required to pay the expenses attendant upon such employment.

III...In this connection attention is called to the following opinion of the Attorney General, (I Opinions, 211:)

"Subordinate officers of the Government who desire an official opinion, must seek it through the head of the Department to which such subordinate is accountable."

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS } WAR DEPARTMENT,  
• No. 16. } ADJUTANT GENERAL'S OFFICE,  
Washington, February 18, 1874.

The Quartermaster's Department is hereby authorized to issue to retired officers, upon proper requisition, a *yearly* allowance of stationery, equal in quantity to the *quarterly* allowance provided by paragraph 1130, Revised Army Regulations, 1863, for a Lieutenant Colonel or Major not in command of a regiment or post.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
No. 17. } ADJUTANT GENERAL'S OFFICE.  
Washington, February 19, 1874.

The Ordnance Department having prepared official stamps for sealing boxes, in accordance with the provisions of General Orders No. 74 of 1871, and Nos. 26 and 71 of 1873, from this office, and having distributed them in duplicate to each company in the Army, it is made the duty of commanding officers of companies to account for such stamps on their quarterly returns of ordnance stores, and to use no other stamps for the purpose intended.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



**GENERAL ORDERS** }

No. 18. }

**WAR DEPARTMENT,**  
**ADJUTANT GENERAL'S OFFICE,**  
*Washington, February 20, 1874.*

The following instructions, in which are consolidated the existing regulations and orders relative to the allowance of fuel, are published for the information and guidance of the Army, and will supersede General Orders No. 108, A. G. O., November 10, 1873. The number of rooms and quantity of fuel for officers and men are as follows :

	Rooms.			Cords of wood per month.		Increased allowance from Sept to April, both inclusive.	
	As quarters.	As kitchen.	As office.	From May 1 to Aug 31.	From Sept. 1 to April 30.	Between 36th and 43d deg. N. latitude, one-fourth.	North of 43d deg., one-third.
The General (see note. p. 3.)							
The Lieutenant General or a Major General	5	1	.....	1	5	1½	1½
A Brigadier General or Colonel	4	1	.....	1	4	1½	1½
A Lieutenant Colonel or Major	3	1	.....	1	3½	1	1-6
A Captain or Chaplain	2	1	.....	1	3	1	1
A Lieutenant.	1	1	.....	1	2	1	1
The General Commanding the Army.	.....	.....	3	.....	3	.....	1
The Commanding Officer of a geographical division or department.	.....	.....	2	.....	2	1	1
An Assistant or Deputy Quartermaster General, an Assistant Commissary General of Subsistence, an Assistant Surgeon General, the Assistant Judge Advocate General, the Assistant and Deputy Paymaster General, and the Chief Quartermaster and Chief Commissary of Subsistence at the headquarters of a geographical division or department, each.	.....	.....	2	.....	2	1	1
The Commanding Officer of a regiment or post, a Paymaster, Quartermaster, Assistant Quartermaster, Commissary of Subsistence, Military Storekeeper, and Medical Storekeeper, each	.....	.....	1	.....	1	1	1



	Rooms.			Cords of wood per month.		Increased allowance from Sept. to April, both inclusive.	
	As quarters.	As kitchen.	As office.	From May 1 to Aug. 31.	From Sept. 1 to April 30.	Between 36th and 43d deg. N. latitude, one-fourth.	North of 43d deg., one-third.
An Assistant Adjutant General, an Inspector General or Assistant Inspector General, an Engineer Officer,* an Ordnance Officer,* a Judge Advocate, a Medical Purveyor, and the senior Medical Officer, when stationed on duty at any place not in the field, each.....			1	1		$\frac{1}{4}$	$\frac{1}{3}$
* Except at Military Academy.							
An Acting Assistant Quartermaster, an Acting Commissary of Subsistence, a regimental or post Adjutant, when approved by the Quartermaster General, each.....			1	1		$\frac{1}{4}$	$\frac{1}{3}$
A Wagon and Forage-master, Sergeant-major, Ordnance Sergeant, Saddler Sergeant, Quartermaster Sergeant, Commissary Sergeant, Hospital Steward, Regimental Veterinary Surgeon, Chief Trumpeter, and Principal Musician, each.....	1			$\frac{1}{2}$	1	$\frac{1}{4}$	$\frac{1}{3}$
Superintendent National Cemetery, (see note, p. 3).....				$\frac{1}{2}$	1	$\frac{1}{4}$	$\frac{1}{3}$
Each non-commissioned officer, musician, private, and laundress.....				1-12	1-6	1-24	1-18
Each necessary fire for the sick in hospital at a military post or station, to be regulated by the Surgeon and commanding officer, not exceeding.....				$\frac{1}{2}$	2	$\frac{1}{4}$	$\frac{1}{3}$
For General Hospitals, when necessary, not exceeding, for each bed.....				1-12	1-6	1-24	1-18
Each Guard-fire, to be regulated by the commanding officer, not exceeding.....					3	$\frac{1}{4}$	1
Each necessary fire for military courts or boards, at a rate not exceeding.....					2	$\frac{1}{4}$	$\frac{1}{3}$
Storehouse of a Commissary, Quartermaster, and Medical Purveyor, when necessary, not exceeding.....				1		$\frac{1}{4}$	$\frac{1}{3}$

	Rooms.			Cords of wood per month.		Increased allowance from Sept. to April, both inclusive.	
	As quarters.	As kitchen.	As office.	From May 1 to Aug. 31.	From Sept. 1 to April 30.	Between 36th and 43d deg. N. latitude, one-fourth.	North of 43d deg., one-third.
A regimental or post mess.....	1	.....	.....	‡	1	‡	‡
Each employe of the Quartermaster or Subsistence department to whom subsistence in kind is issued by the Government.....				1-12	1-6	1-24	1-18
For chapel, reading or school-room, one room and such fuel as may be necessary, to be provided upon the requisition of the Chaplain, approved by the commanding officer.....	1						

NOTES.—The allowance for fuel and quarters to the General of the Army of the United States, when his headquarters are in Washington, D. C., is at the rate of \$300 per month.

Superintendents of National Cemeteries are provided with Lodges at their respective Cemeteries. In cases where Lodges have not been erected, quarters will be assigned by special authority of the War Department.

The allowances above specified for offices will in no case be exceeded without authority from the Secretary of War.

Kindling wood may form a part of the *regular* issue of fuel in proportion equal to one-sixth of the whole allowance authorized, according to the scale of equivalents established by General Orders No. 13 of 1869, from this Office, and the rate of commutation therefor at each military post or station shall be the market price of kindling wood at the time such commutation occurs. [General Orders No. 18, Headquarters of the Army, Adjutant General's Office, February 9, 1870.]

The foregoing allowances will take the place of Paragraph 1068, Revised Army Regulations, 1863.

Merchantable hard wood is the standard; the cord is 12<sup>3</sup> cubic feet.

Paragraphs 1068 and 1069 of the Regulations are modified so as to provide that in the issue of fuel the following scale of equivalents shall be used, the standard being merchantable oak wood, delivered, viz:

One cord of the standard oak wood equals—

One cord of merchantable oak;

One and one-fifth cord of yellow pine;

One and three-fourths cord of white pine, poplar, cottonwood, or other soft wood;

One thousand six hundred pounds of anthracite or bituminous coal.

[General Orders No. 13, H. Q. A., A. G. O., March 9, 1869.]

In the issue of coals of the Pacific slope the following scale of equivalents shall be used, the standard being merchantable oak wood, delivered, viz:

One cord of the standard oak wood equals—

Two thousand five hundred pounds Rocky Mountain brown coal, Wahsatch range;

Two thousand six hundred pounds Mount Diablo, California, and Coose Bay, Oregon, brown coal;

Two thousand four hundred pounds Seattle, Washington Territory, brown coal;

Two thousand two hundred pounds Bellingham Bay, Washington Territory, brown coal; and

One thousand eight hundred pounds Nanaimo, Vancouver's Island, British Columbia, brown coal. [General Orders No. 19, War Dept., A. G. O., April 24, 1872.]

A mess-room, and fuel for it, are allowed only when a majority of the officers of a post or regiment unite in a mess; never to less than three officers, nor to any who live in hotels or boarding-houses. Fuel for a mess-room shall not be used elsewhere or for any other purpose. [Par. 1072, Regulations.]

Fuel issued to officers or troops is public property for their use; what they do not actually consume shall be returned to the Quartermaster and taken up on his Quarterly Return; with this exception, however, that the fuel issued to troops and not actually used in quarters may be used in baking their bread. [Par. 1073.] Particular attention of officers is called to the foregoing provision.

In September, October, November, December, January, February, March, and April the fuel is increased one-fourth at stations from the 36th to the 43d degree north latitude, and one-third at stations north of

the 43d degree. [Substituted for Par. 1074, by General Orders No. 96, H. Q. A., A. G. O., November 23, 1863.]

Fuel shall be issued only in the month when due. [Par. 1075.]

During any calendar month, or the first twenty days thereof, in which the mean temperature shall be 20° Fahrenheit, or less, at military posts between the 36th and 43d degrees of latitude, the increased allowance of fuel for such month will be one-third ( $\frac{1}{3}$ ) instead of one-fourth ( $\frac{1}{4}$ ) as at present authorized.

During any calendar month, or the first twenty days thereof, in which the mean temperature shall be 10° Fahrenheit, or less, at any military post, whatever may be its latitude, the increased allowance of fuel for such month will be one-half ( $\frac{1}{2}$ ) instead of the increase heretofore allowed.

When issues are made under these provisions, the written certificate of the medical officer of the post as to the mean temperature during the month, and the written order of the post commander for the issue of increased allowance, must be filed with the Abstract of Issues.

When practicable, at posts located on timbered reservations, the increased allowance of fuel hereby authorized on account of temperature will be provided by the labor of the troops.

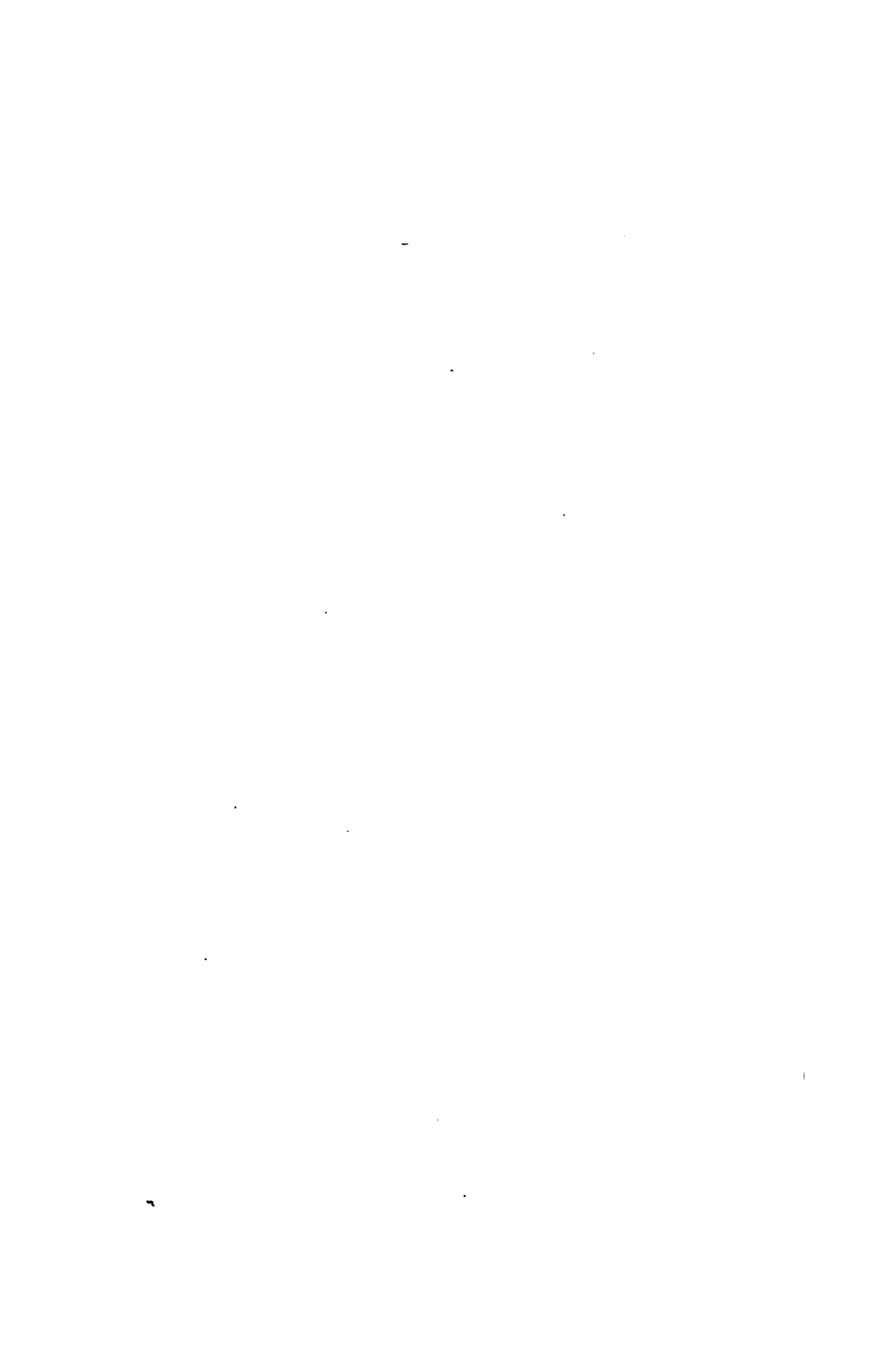
BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

**OFFICIAL:**

*Assistant Adjutant General.*







GENERAL ORDERS }

No. 19.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 3, 1874.

The following acts of Congress are published for the information and government of all concerned:—

I. AN ACT authorizing the Secretary of War to deliver to the State authorities of Rhode Island a certain gun.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to deliver, if the same can be done without detriment to the Government, to the proper authorities of the State of Rhode Island a certain gun, marked "Battery B 1st Regiment Rhode Island Light Artillery Battle of Gettysburg," for the purpose of being placed among the archives of that State.

*Approved February 19, 1874.*

II. AN ACT to authorize the Secretary of War to ascertain the amount of expense incurred by the territorial authorities of Dakota for arms, equipments, military stores, supplies, and all other expenses of the volunteer forces of the Indian war of eighteen hundred and sixty-two.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he hereby is, authorized and required to ascertain, or cause to be ascertained, the amount of expense necessarily incurred by the territorial authorities of Dakota for arms, equipments, military stores, supplies, and all expenses of the volunteer forces called out to suppress Indian hostilities in the Territory of Dakota in the year eighteen hundred and sixty-two, and report to Congress the names of the persons entitled to relief, together with a statement of the facts and sums upon which such report may be based.

*Approved February 20, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 20.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 4, 1874.*

Relative to the proceeds of sales of Government property, the following remarks from the Second Comptroller's indorsement of the 14th ultimo, and the instructions herein given, are published for the information and guidance of officers of the Army:

"In my opinion it was not the intent of the law to consider the furnishing of stores or public property from one Bureau or Department of the Government to another as a sale, the proceeds of which should be covered into the Treasury. The money-value received can therefore be used to replace such stores."

So much of General Orders No. 81, series of 1872, from this Department, as conflicts with the foregoing opinion is hereby revoked.

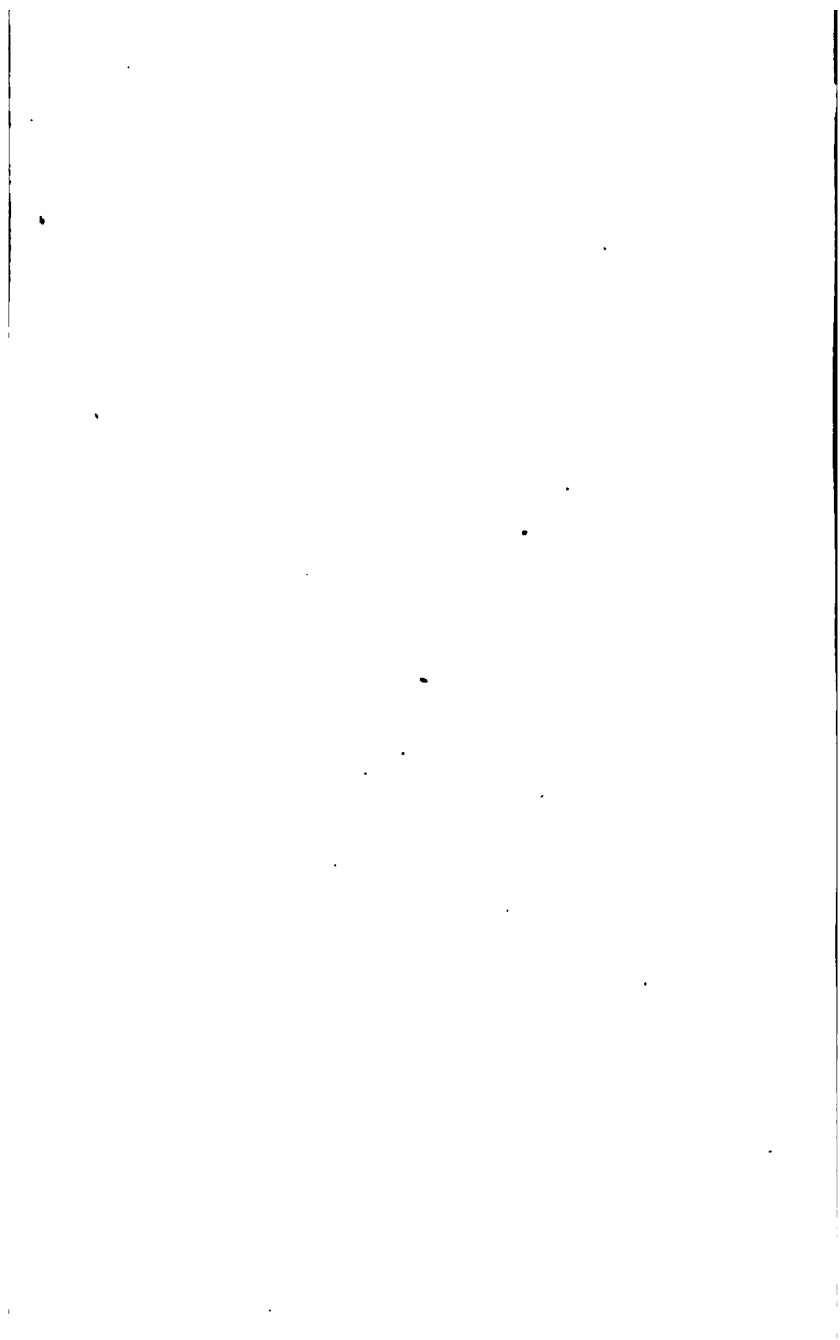
Hereafter, in any case where the proceeds of a sale, such as is above noted, are repaid into the Treasury, they will be reported for cover-in to the credit of the appropriation from which the stores were originally purchased.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
                    } ADJUTANT GENERAL'S OFFICE,  
                    } *Washington, March 6, 1874.*  
NO. 21.

Paragraphs III and IV of General Orders No. 10, February 11, 1874,  
from this office, are hereby revoked.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 22. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 9, 1874.*

I.. The following order has been received from the President of the United States:

EXECUTIVE MANSION,  
*WASHINGTON, March 9, 1874.*

It is with deep regret that the President announces to the people of the United States the death of MILLARD FILLMORE, one of his honored predecessors, who died at Buffalo, New York, last evening.

The long-continued and useful public service and eminent purity of character of the deceased ex-President will be remembered beyond the days of mourning in which a nation will be thrown by the event which is thus announced.

As a mark of respect to his memory, it is ordered that the Executive Mansion and the several Departments at Washington be draped in mourning until the close of the day on which the funeral shall take place, and that all business be suspended on the day of the funeral.

It is further ordered that the War and Navy Departments cause suitable military and naval honors to be paid on the occasion to the memory of the eminent citizen whose life is now closed.

U. S. GRANT.

By the President:  
HAMILTON FISH,  
*Secretary of State.*

II.. In compliance with the President's instructions, the troops will be paraded at 10 o'clock A. M. on the day after the receipt of this order at each military post, when the order will be read to them, and the labors of that day will thereafter cease.

The national flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired; and afterwards, at intervals of thirty minutes, between the rising and setting sun, a single gun; and at the close of the day a national salute of thirty-seven guns.

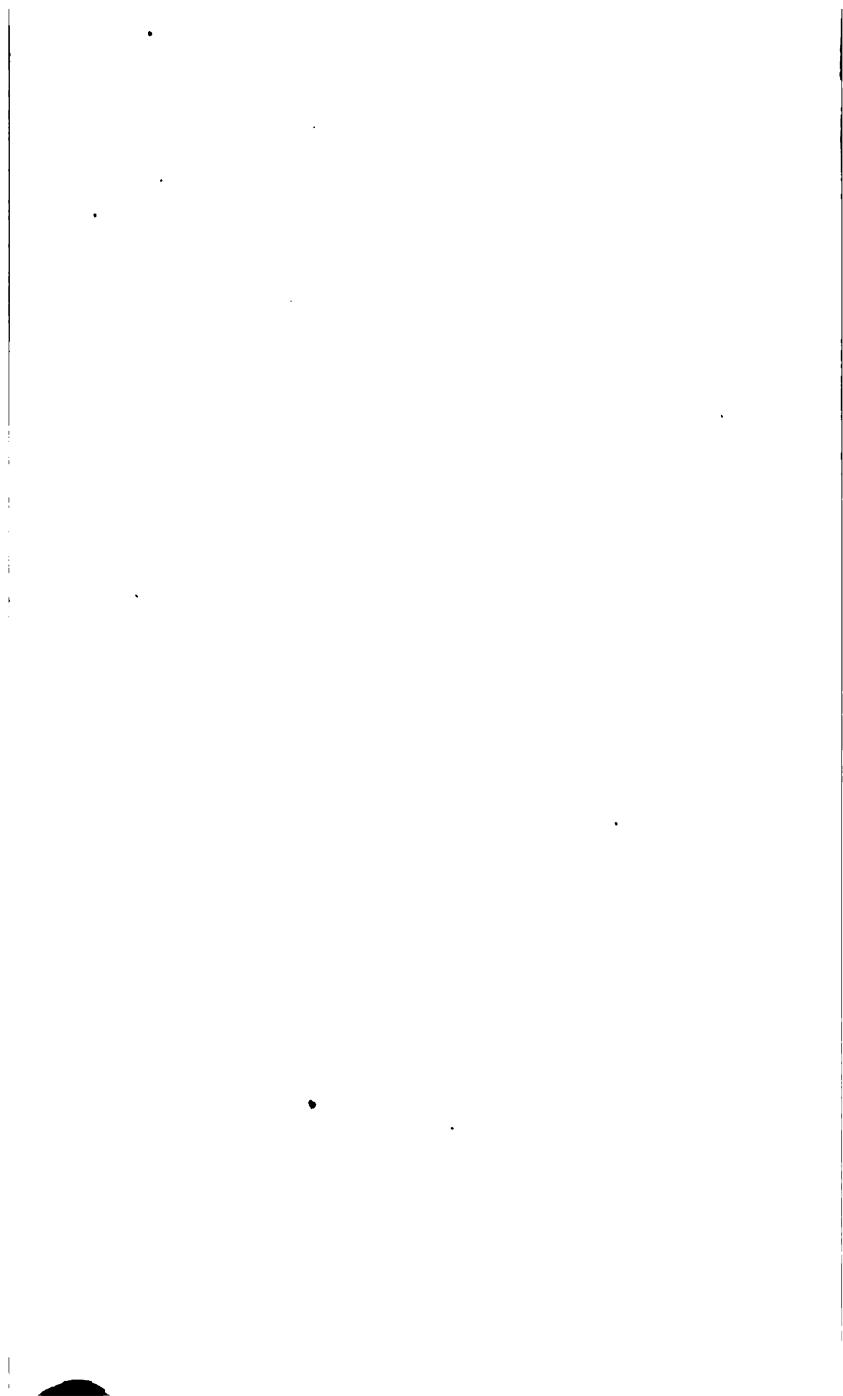
The officers of the Army will wear crape on the left arm and on their swords, and the colors of the several regiments will be put in mourning for the period of thirty days.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
                              } ADJUTANT GENERAL'S OFFICE,  
No. 23. } Washington, March 10, 1874.

The following acts of Congress are published for the information and government of all concerned:

I..AN ACT to dredge and protect the navigable channel at the mouth of Buffalo River against the sand-bar formed by the gale of December, eighteen hundred and seventy-three.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of twenty thousand dollars, to be expended by the Secretary of War for the purpose of dredging and protecting the navigable channel at the mouth of Buffalo River, and of removing the sand-bar formed by the great gale of December last at that point, said sum to be available upon the passage of this act.

*Approved February 25, 1874.*

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II..AN ACT authorizing the chief clerk of the War Department to sign requisitions on the Treasury during the temporary absence of the Secretary of War.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when, from illness or other cause, the Secretary of War is temporarily absent from the War Department, he may authorize the chief clerk of the Department to sign requisitions upon the Treasury Department, and other papers requiring the signature of said Secretary; the same, when signed by the chief clerk during such temporary absence, to be of the same force and effect as if signed by the Secretary of War himself.

*Approved March 4, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



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GENERAL ORDERS }

No. 23. }

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, March 10, 1874.

The following acts of Congress are published for the information and government of all concerned:

I..AN ACT to dredge and protect the navigable channel at the mouth of Buffalo River against the sand-bar formed by the gale of December, eighteen hundred and seventy-three.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of twenty thousand dollars, to be expended by the Secretary of War for the purpose of dredging and protecting the navigable channel at the mouth of Buffalo River, and of removing the sand-bar formed by the great gale of December last at that point, said sum to be available upon the passage of this act.*

*Approved February 25, 1874.*

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*Approved March 4, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }  
No. 25. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 19, 1874.*

The following act of Congress is published for the information and government of all concerned :

AN ACT for the relief of Matthew Woodruff, late first sergeant of Company G, Twenty-first Missouri Volunteers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to correct the record so as to honorably muster out and discharge Matthew Woodruff, late first sergeant of Company G, Twenty-first Regiment Missouri Volunteers; and that the said Matthew Woodruff be allowed such back-pay, bounty, and allowances as he would have been entitled to receive but for the record of his alleged desertion, deducting therefrom pay for absence of twenty-six days.*

*Approved March 11, 1874.*

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND.

*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



GENERAL ORDERS, }  
No. 26. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 28, 1874.*

The following regulations of the War Department relative to advertising and job printing are published for the information and guidance of all concerned:

REVISED REGULATIONS OF THE WAR DEPARTMENT  
RELATIVE TO ADVERTISING AND JOB PRINTING.  
JANUARY 1, 1874.

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NOTE.—The term "advertising," as used in these Regulations, includes all publications in newspapers inserted for pay. The words "job printing" cover all kinds of printing except advertisements inserted in newspapers. All communications relative to advertising and printing will be directed to the CHIEF CLERK OF THE WAR DEPARTMENT.

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*Act of Congress relative to Advertising.*

Section 2, of the act of Congress approved July 15, 1870, (16 Stat., 308,) is as follows:

"*And be it further enacted*, That no advertisement, notice, or proposal for any Executive Department of the Government, or for any Bureau thereof, or for any office therewith connected, shall be published in any newspaper whatever, except in pursuance of a written authority for such publication from the Head of such Department; and no bill, for any such advertising, or publication, shall be paid, unless there be presented, with such bill, a copy of the written authority aforesaid."

*Advertising.*

Application  
for authority to  
advertise.

1. Whenever any officer of the War Department or any Bureau thereof, or of the Army, or any Board of Officers, or Court Martial, shall deem it necessary or advisable to advertise in any newspaper, or newspapers, (the design being that the advertising shall be paid for by the Government,) he or they will cause TWO copies of the proposed advertisement to be made and forwarded directly, through the Head of his or their Bureau, to the Chief Clerk of the War Department, for the action of the Secretary of War, with a letter requesting authority to publish the same, and stating in what paper or papers among those on the official list of the Department the advertisement should, in his or their judgment, be inserted, and for what length of time.

Advertisements  
in papers  
not on official  
list.

If the officer or officers consider that the interests of the Government require the publication of an advertisement in any locality where there is no official newspaper, or in any newspaper not on the official list, the application should set forth that fact.

Form of ap-  
plication.

2. The following form of application for authority to advertise will be observed :

HEADQUARTERS MILITARY DIV. OF THE MISSOURI,  
OFFICE CHIEF QUARTERMASTER,  
*Chicago, Ill., July 21, 1870.*

SIR :

I inclose herewith two copies of an advertisement, bearing date July 31, 1870, inviting proposals for 13,400 bushels of corn, &c., and respectfully request authority to publish the same for six consecutive insertions in the following-named official newspapers :

Chicago Journal,	Omaha Republican,
Chicago Post,	Sioux City Journal,
St. Louis Democrat.	

Very respectfully, your obedient servant,

D. H. RUCKER,  
A. Q. M. General, U. S. A.,  
*Chief Quartermaster.*

To the CHIEF CLERK,  
WAR DEPARTMENT.

Bureau to  
forward appli-  
cations the day  
received.

*Heads of Bureaus are directed to transmit these applica-  
tions to the Chief Clerk of the War Department on the day  
they are received.*

3. Officers, in advertising sales of property, or for proposals for contracts, or for proposals for supplies, will allow *at least thirty days* to intervene between the date of the *first publication* of the advertisement and the *date designated* in such advertisement for the sale to take place, or for the opening of bids.

Advertisements to give 30 days notice.

As a general rule, authority will be given for six consecutive insertions in a daily newspaper, or four consecutive insertions in a weekly newspaper; but authority will not be given to publish the same advertisement in all the authorized newspapers of any locality, unless the interests of the Government seem to require it.

Number of insertions.

4. Officers of the Army are required to practice all possible economy in advertising consistent with the necessities of the service, and to avoid all verbiage in the descriptions of supplies and property in advertisements, and in the *headings and titles* attached thereto; and they are especially cautioned not to prepare their advertisements, or send copies of them to newspapers, arranged in such a manner as would lead to a violation of so much of Paragraph 12 as relates to displayed or leaded advertisements.

How to prepare advertisements.

At principal offices and depots where advertisements inviting proposals are frequently issued it is not necessary to publish in detail each time the usual conditions imposed on bidders and contractors. A reference to former advertisements of same conditions, or a notice that they will be furnished on application, will be sufficient.

5. All bills for advertising must be submitted to the Secretary of War for approval prior to being paid. Publishers will first present their bills, with copies of their papers containing the advertisement, to the officer who issued the advertisement, who, after satisfying himself that it has been inserted for the time charged, will cause the same to be made out and certified upon the official forms furnished by the Heads of Bureaus of the War Department, with the nature of the advertisement definitely described, and a copy, *cut from the newspaper named in the bill*, attached in convenient form for examination. *Copy of the letter from the War Department authorizing the advertising to be done must also be indorsed on the account.*

Accounts, how presented.



Vouchers to pertain to but one paper and one advertisement.

6. No voucher must contain the account of more than one newspaper, nor of more than *one* advertisement.

Form of accounts for advertising.

7. The following is the official form for accounts for advertising:

THE UNITED STATES,

To *Charles E. Warburton,*

Dr.

To insertion of annexed advertisement of Col. C. L. Kilburn, A. C. G. S., U. S. A., in the "Evening Telegraph," published at Philadelphia, Pa., as follows:

Nature of Advertisement.	Date of first insertion.	No. of squares or lines.	No. of insertions charg'd.	No. of insertions ord'd.	Amount charged.		Amount allowed.	
					Dolls.	Cts.	Dolls.	Cts.
Proposals for fresh beef.	1870 July 22	37	5	4	23	12		
Total .....					23	12		

I certify that the annexed advertisement was cut from the newspaper named in the above account, and that it was inserted in that newspaper for the period stated; and that the Revised Regulations of the War Department relative to advertising and job printing, dated January 1, 1874, have been complied with.

C. L. KILBURN,

Col. A. C. G. S., U. S. A.

Accounts for advertising & job printing to be kept separate.

8. Advertisements and job printing *must not* be submitted for audit in the same letter of transmittal.

How officers are to prepare and forward accounts.

9. Officers are prohibited from making any alterations in the number of squares or lines, the number of insertions, or the amount charged. They will state in the proper column the number of insertions ordered, and leave blank the column headed "Amount allowed." The accounts will then be forwarded by the certifying officer *directly* to the Chief Clerk of the War Department, for audit, with a letter of transmittal describing the inclosures, together with the original bills as rendered by the publishers, and a copy of the letter of authority indorsed on the lowest or third fold of each voucher.

10. Accounts may, in some cases, be presented to officers for advertisements which they did not order published in the newspaper charging for the same, but which may have been ordered to be inserted therein by the Secretary of War; these, also, are to be submitted to the War Department for decision. They will be made out upon the official forms the same as other advertisements, and in like manner transmitted to the Chief Clerk of the War Department. The following form of certificate will be used in such cases:

How accounts based upon special letters of authority are to be prepared.

"I certify that the annexed advertisement was cut from the newspaper named in the above account, and that it was inserted in that newspaper for the period stated."

11. In the event of the death, removal, or resignation of any officer, or of his being transferred to another station, the outstanding bills for advertisements of his office will be prepared, certified, and forwarded by his successor, who is authorized to vary the form to correspond with the facts. Officers changing stations will leave with their successors complete records relative to unsettled accounts for advertising and printing.

How accounts to be prepared by an officer's successor at any station.

12. *Publishers of official newspapers* are notified that claims for advertisements copied from other papers, without authority from the Secretary of War, will not be paid; nor will any allowance be made for *displayed* advertisements, nor for *leading*. Advertisements must be *set up close*. Publishers will greatly facilitate the adjustment of their accounts by forwarding to the Chief Clerk of the War Department the advertising rates of their respective papers, showing whether the charge is made by the "line" or by "square," and if by the square, the number of lines counted as such; also, the rate per line or square for the first and subsequent insertions. And when the charges are varied in consideration of the large amount of space occupied by the advertisement, or the long period of publication, the publisher should furnish a plain schedule of prices, showing the charges from one square inserted one time up to thirty times, to any number of squares which may be contained in the column inserted one time up to thirty times. Whenever any change is made in the advertising rates of a paper,

Advertisements copied without authority, displayed or leaded, not to be paid for.

Rates for advertising to be filed.

notice of the change should be immediately sent to the Chief Clerk of the War Department.

**Heads of Bureaus to furnish officers copies of the printed list of official newspapers.**

13. The Heads of the several Bureaus of the War Department will furnish to all officers charged with the publication of advertisements complete lists of newspapers designated by the Secretary of War, together with the regulations and orders of the War Department upon the subject, and all necessary blanks for compliance with these Regulations.

**Military orders and circulars not to be advertised.**

14. Officers are informed that the publication of military orders and circulars in newspapers is unauthorized. Paragraph 1134 of the Army Regulations does not authorize the insertion of military orders in newspapers.

#### *Job Printing.*

**Job printing accounts, how forwarded.**

15. Bills for job printing procured by officers of the Army must also be submitted to the War Department, prior to payment, in the same manner as accounts for newspaper advertising.

**Job printing to be done at Government Printing Office.**

16. Officers are informed that, as a general rule, all regular blanks, books, printed forms, &c., are executed at the Government Printing Office, at Washington, and it is their duty to obtain them by requisitions upon the Adjutant General or the Heads of their respective Corps; bills for job printing executed elsewhere will not be paid, except in cases of orders printed under the provisions of Paragraph 1134, Army Regulations, or printing done by the *written permission* of the Secretary of War.

**Exceptions.**

**How accounts for job printing to be prepared.**

17. Where printing has been done under the exceptions noted in the preceding paragraph, the bills must first be presented to the officers ordering the work, who will cause them to be made out and certified upon the official forms in use for general vouchers. *A copy of the authority under which the printing was executed and a sample of the printing must accompany each bill.* The number of copies must also be stated. When the charge is for book or pamphlet printing containing more than four pages of matter, the amount

of matter, (number of thousand "ems,") number of "tokens" of press-work, and the rate per thousand "ems" and per "token," must be stated. Vouchers must show the place where, and date when, the work was executed, and the printing be so described as to class, amount, and rates, that the computations can be readily reviewed according to the customary methods in use among book and job printers. Where the paper is furnished by the printer, the fact must be stated in the voucher, and the number of quires or reams used, and the price charged per quire or ream. Unless so stated, it will be presumed that the paper was furnished by the Government, and the bills audited accordingly.

18. Orders authorizing advertising or printing to be done will not be construed as authorizing payment of the bills until audited and approved according to these Regulations.

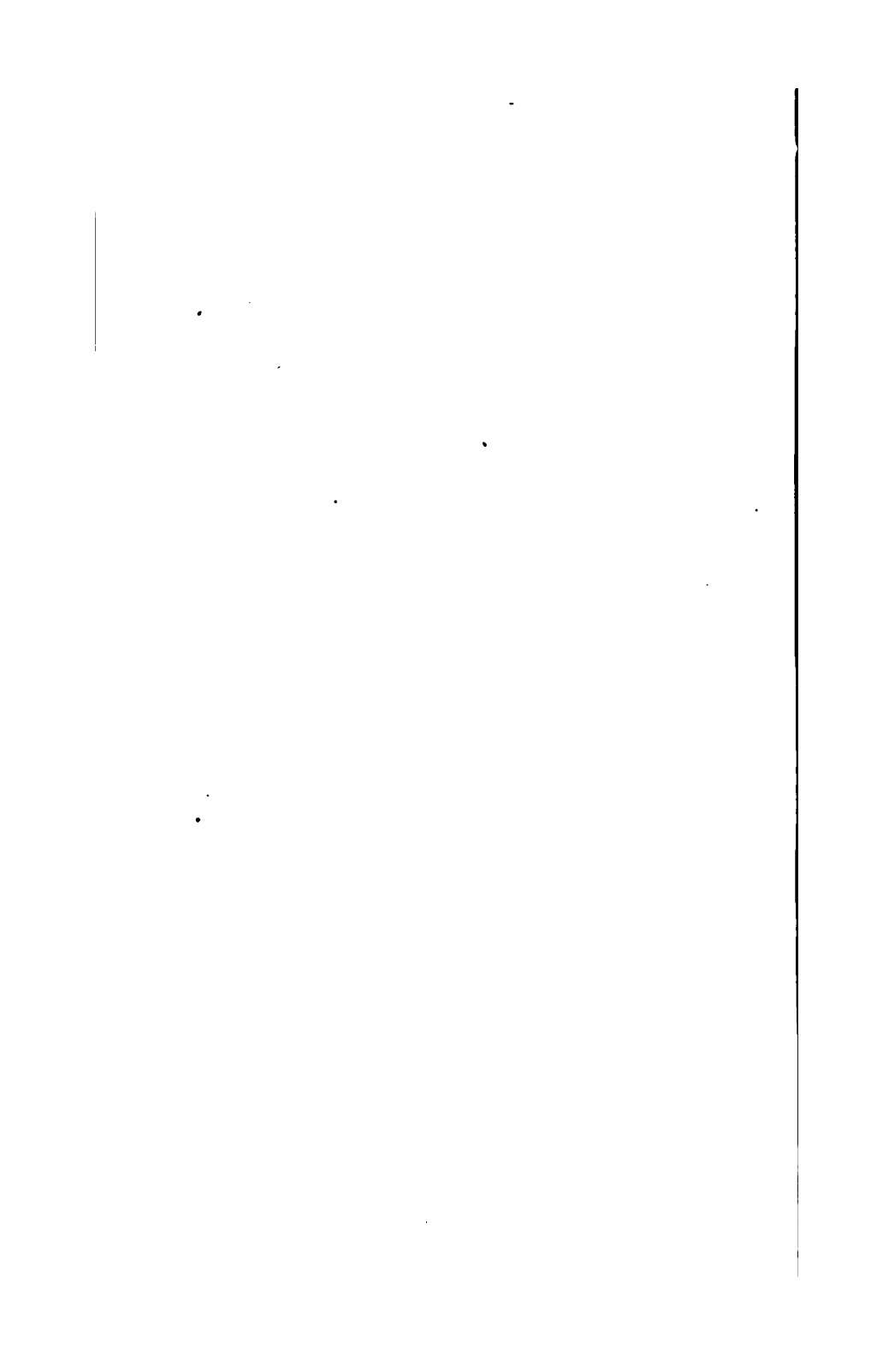
Authority to  
advertise or to  
have printing  
done is not au-  
thority to pay  
for same.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 27. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, April 1, 1874.*

The following promotions and appointments in the Army of the United States, made by the President, by and with the advice and consent of the Senate, since the publication of General Orders No. 97, of October 1, 1873, and up to April 1, 1874, are announced :

### I...PROMOTIONS.

#### CORPS OF ENGINEERS.

Lieutenant Colonel Zealous B. Tower, to be Colonel, January 13, 1874, *vice* Cullum, retired from active service.

Major Quincy A. Gillmore, to be Lieutenant Colonel, January 13, 1874, *vice* Tower, promoted.

Captain Jared A. Smith, to be Major, January 13, 1874, *vice* Gillmore, promoted.

First Lieutenant James F. Gregory, to be Captain, January 13, 1874, *vice* Smith, promoted.

Second Lieutenant Philip M. Price, to be First Lieutenant, September 30, 1873, *vice* Woodruff, deceased.

Second Lieutenant Francis V. Greene, to be First Lieutenant, January 13, 1874, *vice* Gregory, promoted.

#### SECOND REGIMENT OF CAVALRY.

First Lieutenant James N. Wheelan, to be Captain, December 15, 1873, *vice* Norton, resigned. (Company "G.")

Second Lieutenant Colon Augur, to be First Lieutenant, December 15, 1873, *vice* Wheelan, promoted. (Company "B.")

#### FOURTH REGIMENT OF CAVALRY.

Second Lieutenant Otho W. Budd, to be First Lieutenant, January 5, 1874. *vice* Hudson, deceased. (Company "I.")

#### NINTH REGIMENT OF CAVALRY.

Second Lieutenant William Gerhard, to be First Lieutenant, November 19, 1873, *vice* Radetzki, dismissed. (Company "F.")

## TENTH REGIMENT OF CAVALRY.

First Lieutenant Alexander S. B. Keyes, to be Captain, December 6, 1873, *vice* Foulk, dismissed. (Company "D.")

Second Lieutenant William R. Harmon, to be First Lieutenant, December 6, 1873, *vice* Keyes, promoted. (Company "H.")

## FIRST REGIMENT OF ARTILLERY.

Second Lieutenant Henry W. Hubbell, jr., to be First Lieutenant, November 17, 1873, *vice* Chamberlin, resigned. (Company "G.")

## FOURTH REGIMENT OF ARTILLERY.

Second Lieutenant Edward S. Chapin, to be First Lieutenant, November 19, 1873, *vice* Hazelton, dismissed. (Company "G.")

## SECOND REGIMENT OF INFANTRY.

Second Lieutenant Augustus R. Egbert, to be First Lieutenant, December 18, 1873, *vice* Galbreath, resigned. (Company "I.")

## THIRD REGIMENT OF INFANTRY.

Captain Henry L. Chipman, of the Eleventh Infantry, to be Major, October 29, 1873, *vice* Dodge, promoted to the Twenty-third Infantry.

## FOURTH REGIMENT OF INFANTRY.

Major John S. Mason, of the Fifteenth Infantry, to be Lieutenant Colonel, December 11, 1873, *vice* Potter, promoted to the Twenty-fourth Infantry.

Second Lieutenant Butler D. Price, to be First Lieutenant, November 25, 1873, *vice* Veitenheimer, deceased. (Company "E.")

Second Lieutenant George O. Webster, to be First Lieutenant, November 25, 1873, he being the regimental Adjutant.

## NINTH REGIMENT OF INFANTRY.

First Lieutenant Michael J. Fitz-Gerald, to be Captain, December 31, 1873, *vice* Owen, resigned. (Company "D.")

Second Lieutenant William L. Carpenter, to be First Lieutenant, December 31, 1873, *vice* Fitz-Gerald, promoted. (Company "F.")

## ELEVENTH REGIMENT OF INFANTRY.

First Lieutenant Warren C. Beach, to be Captain, October 29, 1873, *vice* Chipman, promoted to the Third Infantry. (Company "D.")

First Lieutenant Erasmus C. Gilbreath, to be Captain, December 23, 1873, *vice* McClermont, resigned. (Company "H.")

Second Lieutenant David B. Taylor, to be First Lieutenant, October 29, 1873, *vice* Beach, promoted. (Company "B.")

Second Lieutenant Leon A. Matile, to be First Lieutenant, December 23, 1873, *vice* Gilbreath, promoted. (Company "G.")

#### TWELFTH REGIMENT OF INFANTRY.

First Lieutenant John M. Norvell, to be Captain, January 31, 1874, *vice* Hoge, resigned. (Company "G.")

Second Lieutenant Joseph H. Hurst, to be First Lieutenant, January 31, 1874, *vice* Norvell, promoted. (Company "B.")

#### SEVENTEENTH REGIMENT OF INFANTRY.

Second Lieutenant Josiah Chance, to be First Lieutenant, December 23, 1873, *vice* Rice, retired from active service. (Company "G.")

#### NINETEENTH REGIMENT OF INFANTRY.

Major William H. Lewis, of the Seventh Infantry, to be Lieutenant Colonel, December 10, 1873, *vice* Sully, promoted to the Twenty-first Infantry.

Second Lieutenant George H. Cook, to be First Lieutenant, October 7, 1873, he being the regimental Adjutant.

#### TWENTY-FIRST REGIMENT OF INFANTRY.

Lieutenant Colonel Alfred Sully, of the Nineteenth Infantry, to be Colonel, December 10, 1873, *vice* Granger, retired from active service.

#### TWENTY-THIRD REGIMENT OF INFANTRY.

Major Richard I. Dodge, of the Third Infantry, to be Lieutenant Colonel, October 29, 1873, *vice* Crook, appointed Brigadier General.

Second Lieutenant William L. Clarke, to be First Lieutenant, September 6, 1873, *vice* Rice, appointed regimental Quartermaster. (Company "G.")

#### TWENTY-FOURTH REGIMENT OF INFANTRY.

Lieutenant Colonel Joseph H. Potter, of the Fourth Infantry, to be Colonel, December 11, 1873, *vice* Doubleday, retired from active service.

#### TWENTY-FIFTH REGIMENT OF INFANTRY.

First Lieutenant Daniel Hart, to be Captain, November 30, 1873, *vice* Pettee, resigned. (Company "F.")

Second Lieutenant Wallace Tear, to be First Lieutenant, November 30, 1873, *vice* Hart, promoted. (Company "G.")



## II...APPOINTMENTS.

## GENERAL OFFICER.

Lieutenant Colonel George Crook, of the Twenty-third Infantry, to be Brigadier General, October 29, 1873, *vice* Cooke, retired from active service.

## POST CHAPLAIN.

Charles W. Petherbridge, of Virginia, to be Post Chaplain, October 23, 1873, *vice* McFalls, deceased.

## FIRST REGIMENT OF CAVALRY.

7.—Frank A. Edwards, of the District of Columbia, to be Second Lieutenant, October 1, 1873, *vice* Knox, appointed regimental Quartermaster. (Company "C.")

## THIRD REGIMENT OF CAVALRY.

5.—James E. H. Foster, of Pennsylvania, to be Second Lieutenant, October 1, 1873, *vice* Peabody, resigned. (Company "I.")

## FOURTH REGIMENT OF CAVALRY.

12.—Henry H. Bellas, of Virginia, to be Second Lieutenant, October 1, 1873, *vice* White, resigned. (Company "C.")

## EIGHTH REGIMENT OF CAVALRY.

9.—Henry G. Carleton, of California, to be Second Lieutenant, October 1, 1873, *vice* Wood, promoted. (Company "H.")

## NINTH REGIMENT OF CAVALRY.

24.—Charles W. Merritt, of Illinois, to be Second Lieutenant, October 1, 1873, *vice* McDonald, resigned. (Company "I.")

## TENTH REGIMENT OF CAVALRY.

18.—Hans J. Gasman, of Wisconsin, to be Second Lieutenant, October 1, 1873, *vice* Davis, promoted. (Company "F.")

## SECOND REGIMENT OF INFANTRY.

34.—William J. Turner, of Pennsylvania, to be Second Lieutenant, October 1, 1873, *vice* Johnson, transferred to the First Infantry. (Company "H.")

## THIRD REGIMENT OF INFANTRY.

20.—First Sergeant Frederick Thies, Company "M," Seventh Cavalry, to be Second Lieutenant, October 1, 1873, *vice* Mackay, promoted. (Company "F.")

## FIFTH REGIMENT OF INFANTRY.

17.—Sergeant Frank S. Hinkle, of Company "A," to be Second Lieutenant, October 1, 1873, *vice* Quinby, deceased. (Company "F.")

## SEVENTH REGIMENT OF INFANTRY.

8.—William St. Clair Long, of Pennsylvania, to be Second Lieutenant, October 1, 1873, *vice* Wright, promoted. (Company "A.")

## EIGHTH REGIMENT OF INFANTRY.

33.—First Sergeant William C. Roundy, Company "C," Twenty-first Infantry, to be Second Lieutenant, October 1, 1873, *vice* O'Connell, promoted. (Company "B.")

## TENTH REGIMENT OF INFANTRY.

29.—William Paulding, of New York, to be Second Lieutenant, October 1, 1873, *vice* Page, retired from active service. (Company —.)

## ELEVENTH REGIMENT OF INFANTRY.

14.—Frederick F. Kislingbury, of Michigan, to be Second Lieutenant, October 1, 1873, *vice* Raphall, promoted. (Company "H.")

## TWELFTH REGIMENT OF INFANTRY.

26.—Frederick Von Schrader, of Michigan, to be Second Lieutenant, October 1, 1873, *vice* Rutherford, promoted. (Company "C.")

28.—William W. Wotherspoon, of the District of Columbia, to be Second Lieutenant, October 1, 1873, *vice* Wilson, appointed regimental Adjutant. (Company "D.")

31.—Commissary Sergeant William Allen, United States Army, to be Second Lieutenant, October 1, 1873, *vice* Clague, promoted. (Company "I.")

## THIRTEENTH REGIMENT OF INFANTRY.

13.—John H. H. Peshine, of New Jersey, to be Second Lieutenant, October 1, 1873, *vice* Mumford, promoted. (Company "B.")

## FIFTEENTH REGIMENT OF INFANTRY.

2.—William O. Cory, of Ohio, late First Lieutenant, Twenty-Fourth Infantry, to be Second Lieutenant, October 1, 1873, *vice* Little, promoted. (Company "I.")

4.—George K. McGunnegle, of Maryland, to be Second Lieutenant, October 1, 1873, *vice* Ryan, cashiered. (Company "E.")

11.—Sergeant Theodore Smith, of the Signal Service, United States Army, to be Second Lieutenant, October 1, 1873, *vice* Sherman, promoted. (Company "G.")

19.—George H. Kinzie, of Illinois, to be Second Lieutenant, October 1, 1873, *vice* Slade, resigned. (Company "F.")

#### SIXTEENTH REGIMENT OF INFANTRY.

23.—William Lassiter, of North Carolina, to be Second Lieutenant, October 1, 1873, *vice* Jordan, cashiered. (Company "B.")

#### SEVENTEENTH REGIMENT OF INFANTRY.

6.—George H. Roach, of New York, to be Second Lieutenant, October 1, 1873, *vice* Rice, promoted. (Company "G.")

#### EIGHTEENTH REGIMENT OF INFANTRY.

3.—Oliver B. Warwick, of Alabama, to be Second Lieutenant, October 1, 1873, *vice* Bates, promoted. (Company "H.")

#### NINETEENTH REGIMENT OF INFANTRY.

1.—Alexander H. M. Taylor, of New York, late First Lieutenant, Seventeenth Infantry, to be Second Lieutenant, October 1, 1873, *vice* Dunton, promoted. (Company "I.")

30.—George B. Read, of Maryland, to be Second Lieutenant, October 1, 1873, *vice* Bandy, resigned. (Company "H.")

#### TWENTIETH REGIMENT OF INFANTRY.

27.—Julius Granville Gates, of New York, to be Second Lieutenant, October 1, 1873, *vice* Yeckley, promoted. (Company "I.")

#### TWENTY-FIRST REGIMENT OF INFANTRY.

22.—Joseph W. Duncan, of Missouri, to be Second Lieutenant, October 1, 1873, *vice* Ebstein, promoted. (Company "H.")

#### TWENTY-THIRD REGIMENT OF INFANTRY.

15.—George Geddes Smith, of Maryland, to be Second Lieutenant, October 1, 1873, *vice* Johnson, retired from active service. (Company "F.")

16.—Charles H. Heyl, of New Jersey, to be Second Lieutenant, October 1, 1873, *vice* Dodge, promoted. (Company "C.")

25.—James B. Lockwood, of Maryland, to be Second Lieutenant, October 1, 1873, *vice* McDermott, promoted. (Company "A.")

32.—James H. Winters, of California, to be Second Lieutenant, October 1, 1873, *vice* Clarke, promoted. (Company "D.")

#### TWENTY-FOURTH REGIMENT OF INFANTRY.

10.—Frank H. Mills, of New York, to be Second Lieutenant, October 1, 1873, *vice* Gardner, deceased. (Company "A.")

#### TWENTY-FIFTH REGIMENT OF INFANTRY.

21.—James C. Ord, of Wyoming Territory, to be Second Lieutenant, October 1, 1873, *vice* Allsworth, promoted. (Company "K.")

### III....TRANSFERS.

Captain Charles Hobart, from the Eighth Cavalry to the Third Infantry, December 29, 1873. (Company "H.")

Captain Louis T. Morris, from the Third Infantry to the Eighth Cavalry, December 29, 1873. (Company "L.")

First Lieutenant Charles M. Callahan, from the Third Artillery to the Fourth Cavalry, January 13, 1874. (Company "E.")

First Lieutenant George A. Thurston, from the Fourth Cavalry to the Third Artillery, January 13, 1874. (Company "E.")

Second Lieutenant Edward A. Benjamin, from the Sixth Cavalry to the Third Infantry, October 13, 1873. (Company "C.")

Second Lieutenant Duane M. Greene, from the Third Infantry to the Sixth Cavalry, October 13, 1873. (Company "L.")

### IV. ..RETIRED.

*On their own application, after thirty years' service, in conformity with Section 4 of the Act of July 15, 1870.*

Colonel Abner Doubleday, Twenty-fourth Infantry, December 11, 1873.

Colonel Robert S. Granger, Twenty-first Infantry, December 10, 1873.

Lieutenant Colonel Alexander Montgomery, Deputy Quartermaster General, January 15, 1874.

*For incapacity resulting from long and faithful service; from wounds or injury received; from disease contracted; or from exposure in the line of duty, in conformity with Sections 16 and 17 of the Act of August 3, 1861.*

Colonel Henry D. Wallen, Second Infantry, February 18, 1874.

First Lieutenant James H. Rice, Seventeenth Infantry, December 23, 1873.

*By direction of the President, in conformity with Section 12 of the Act of July 17, 1862.*

Brigadier General Philip St. G. Cooke, United States Army, October 29, 1873.

Colonel George W. Cullum, Corps of Engineers, January 13, 1874.

#### V...CASUALTIES.

##### RESIGNED. (16.)

Colonel James L. Donaldson, U. S. Army—retired—January 1, 1874.

Major Horace Porter, Ordnance Department, December 31, 1873.

Captain Seneca H. Norton, Second Cavalry, December 15, 1873.

Captain Philip A. Owen, Ninth Infantry, December 31, 1873.

Captain Robert McClermont, Eleventh Infantry, December 23, 1873.

Captain George B. Hoge, Twelfth Infantry, January 31, 1874.

Captain Frederick W. Coleman, Fifteenth Infantry, March 31, 1874.

Captain Lemuel Pettee, Twenty-fifth Infantry, November 30, 1873.

Captain Charles K. Winne, Assistant Surgeon, October 15, 1873.

First Lieutenant Isaac W. Maclay, Ordnance Department, November 15, 1873.

First Lieutenant William S. Beebe, Ordnance Department, January 1, 1874.

First Lieutenant Lowell A. Chamberlin, First Artillery, November 17, 1873.

First Lieutenant Matthew C. Grier, Fourth Artillery, March 7, 1874.

First Lieutenant Alvan S. Galbreath, Second Infantry, December 18, 1873.

Second Lieutenant Jenifer H. Smallwood, Ninth Infantry, December 18, 1873.

Second Lieutenant Harris A. Wheeler, Twenty-fifth Infantry, December 31, 1873.

## COMMISSION VACATED BY NEW APPOINTMENT. (1.)

By Brigadier General George Crook, his commission as Lieutenant Colonel, Twenty-third Infantry, October 29, 1873.

## DIED. (18.)

Brigadier General Richard Delafield, U. S. Army—retired—at *Washington, D. C.*, November 5, 1873.

Colonel Harvey Brown, U. S. Army—retired—at *Staten Island, N. Y.*, March 31, 1874.

Lieutenant Colonel Hyatt C. Ransom, Deputy Quartermaster General, at *Jeffersonville, Ind.*, March 16, 1874.

Lieutenant Colonel George Andrews, U. S. Army—retired—at *Baltimore, Md.*, November 13, 1873.

Major Horace R. Wirtz, Surgeon, at *San Francisco, Cal.*, January 24, 1874.

Major Josiah Simpson, Surgeon, at *Baltimore, Md.*, March 3, 1874.

Major Robert Morrow, Paymaster, at *San Francisco, Cal.*, November 27, 1873.

Major Robert A. Kinzie, Paymaster, at *Chicago, Ill.*, December 13, 1873.

First Lieutenant Eugene A. Woodruff, Corps of Engineers, at *Shreveport, La.*, September, 30, 1873.

First Lieutenant Charles L. Hudson, Fourth Cavalry, at *Fort Clark, Texas*, January 5, 1874.

First Lieutenant Carl Veitenheimer, Fourth Infantry, at *Fort D. A. Russell, Wyo. T.*, November 25, 1873.

First Lieutenant Levi H. Robinson, Fourteenth Infantry, killed by *Indians*, February 9, 1874, on *Cottonwood Creek*, 30 miles from *Fort Laramie, Wyo. T.*

First Lieutenant Alfred Fredberg, Nineteenth Infantry, at *Denver, C. T.*, October 7, 1873.

First Lieutenant Septimus E. Carnecross, Twentieth Infantry, at *Albany, N. Y.*, November 4, 1873.

Second Lieutenant Patrick H. Hogan, First Cavalry, at *Reno, Nev.*, November 21, 1873.

Chaplain Ezekiel G. Gear, U. S. Army—retired—at *Minneapolis, Minn.*, October 13, 1873.

Chaplain John Burke, U. S. Army—retired—at *New York City*, December 24, 1873.

Chaplain John C. Jacobi, U. S. Army—retired—at *New York City*,  
February 9, 1874.

## DISMISSED. (4.)

Captain William L. Foulk, Tenth Cavalry, December 6, 1873.  
First Lieutenant Gustave H. Radetzki, Ninth Cavalry, November 19,  
1873.  
First Lieutenant James B. Hazelton, Fourth Artillery, November 19,  
1873.  
Second Lieutenant Calvin T. Speer, Eleventh Infantry, January 16,  
1874.

## CASHIERED. (2.)

Captain Thomas B. Hunt, Assistant Quartermaster, February 26, 1874.  
Second Lieutenant John Gotshall, Tenth Infantry, October 18, 1873.  
*Addenda to the Army Register for January 1, 1874, under the heading of*  
*"Original entry into service, subsequent Commissions, and Appointments."*

James B. Ricketts, Lieutenant Colonel, Twenty-first Infantry, July 28,  
1866, declined.

Francis Fessenden, Lieutenant Colonel Forty-fifth Infantry, July 28,  
1866, declined.

Henry W. Freedley, Captain, Sixteenth Infantry, May 14, 1861, de-  
clined.

Henry W. Freedley, Major, Thirty-ninth Infantry, July 28, 1866, de-  
clined.

Joseph C. Clarke, jr., Captain, Forty-second Infantry, July 28, 1866,  
declined.

William R. Smedberg, Captain, Forty-fifth Infantry, January 22, 1867,  
declined.

Samuel S. Carroll, First Lieutenant, Nineteenth Infantry, May 14,  
1861, declined.

VI...Officers have been arranged in the foregoing order to the compa-  
nies to which they have succeeded in the natural course of promotion or  
appointment, or to which they have been assigned by competent authority.

VII...Acceptance or non-acceptance of appointments, and, in case of  
acceptance, the *birthplace* of the officer appointed, his *age* and *residence*  
when appointed, and his *full name* correctly written, will, in all cases,  
be promptly reported to the Adjutant General.

VIII...In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once, *direct to this office*, stating the *cause*, *date*, and *place*.

When an officer, away from his command, dies in hospital, or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army medical officer, the report will be made by any officer having cognizance of the fact.

BY ORDER OF THE SECRETARY OF WAR :

E D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



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GENERAL ORDERS }  
No. 28. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, April 2, 1874.*

## One Hundredth Anniversary of the Independence of the United States of America.

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The following orders of the President are published to the Army:—

*By the President of the United States.*

### EXECUTIVE ORDER.

WHEREAS it has been brought to the notice of the President of the United States, that in the International Exhibition of Arts, Manufactures and Products of the Soil and Mine, to be held in the City of Philadelphia, in the year eighteen hundred and seventy-six, for the purpose of celebrating the one hundredth anniversary of the Independence of the United States, it is desirable that from the Executive Departments of the Government of the United States, in which there may be articles suitable for the purpose intended, there should appear such articles and materials as will, when presented in a collective exhibition, illustrate the functions and administrative faculties of the Government in time of peace and its resources as a war power, and thereby serve to demonstrate the nature of our institutions and their adaptations to the wants of the people;

Now, for the purpose of securing a complete and harmonious arrangement of the articles and materials designed to be exhibited from the Executive Departments of the Government, it is ordered that a Board, to be composed of one person to be named by the head of each of the Executive Departments which may have articles and materials to be exhibited, and also of one person to be named in behalf of the Smithsonian Institution, and one to be named in behalf of the Department of Agriculture, be charged with the preparation, arrangement, and safe-keeping of such articles and materials as the heads of the several Departments and the Commissioner of Agriculture and the Director of the Smithsonian Institution may respectively decide shall be embraced in the collection; that one of the persons thus named, to be designated by the President, shall be chairman of such Board, and that the Board appoint from their

own number such other officers as they may think necessary; and that the said Board when organized be authorized, under the direction of the President, to confer with the Executive Officers of the Centennial Exhibition in relation to such matters connected with the subject as may pertain to the respective Departments having articles and materials on exhibition; and that the names of the persons thus selected by the heads of the several Departments, the Commissioner of Agriculture, and the Director of the Smithsonian Institution, shall be submitted to the President for designation.

BY ORDER OF THE PRESIDENT:

HAMILTON FISH,

*Secretary of State.*

WASHINGTON, *January 23d*, 1874.

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DEPARTMENT OF STATE,

WASHINGTON, *25th March*, 1874.

The Honorable

WM. W. BELKNAP,

*Secretary of War.*

SIR:

I have the honor to inform you that, in accordance with the Order of the President of the 23d of January last, the following persons have been named by the heads of the several Departments, &c., mentioned in the Order, having articles or materials to be exhibited at the Centennial Exhibition to be held in 1876, to compose the Board directed to be created by the said order, viz:

By the Secretary of the Treasury—Hon. F. W. SAWYER.

By the Secretary of War—Col. S. C. LYFORD, U. S. A.

By the Secretary of the Navy—Admiral T. A. JENKINS, U. S. N.

By the Secretary of the Interior—JOHN EATON, Esq.

By the Postmaster General—Dr. CHAS. F. MACDONALD.

By the Department of Agriculture—WM. SAUNDERS, Esq.

By the Smithsonian Institution—Prof. S. F. BAIRD.

I have the honor further to inform you that the President has designated Col. S. C. LYFORD, U. S. A., to be the chairman of such Board.

I have the honor to be, Sir,

Your obedient servant,

HAMILTON FISH.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 29. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, April 8, 1874.

The following joint resolution of Congress is published for the information and government of all concerned:

JOINT RESOLUTION authorizing the Secretary of War to detail a medical officer of the Army to inquire into, and report upon, the causes of epidemic cholera.

Whereas, epidemic cholera prevailed during the year eighteen hundred and seventy-three in various parts of the United States, especially in the valley of the Mississippi, causing a deplorable mortality; and whereas it is highly important that, whenever such epidemics occur, the facts concerning the spread of the disease and its mode of propagation should be ascertained as fully as possible, with a view to the prevention or limitation of future outbreaks, therefore—

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to detail one medical officer of the Army, who shall, during the present year, under the direction of the Surgeon General of the Army, in connection with the supervising surgeon of marine hospitals, acting under the direction of the Secretary of the Treasury, visit the towns at which cholera prevailed during eighteen hundred and seventy-three, or such of them as, in the opinion of the Surgeon General and Secretary of the Treasury, may be necessary, confer with the health authorities and resident physicians of such towns, and collect, so far as possible, all facts of importance with regard to such epidemic, and shall make a detailed report of the information collected, on or before the first day of January, eighteen hundred and seventy-five, to the President, to be submitted to Congress. And the Surgeon General is hereby authorized and directed to report to the Secretary of War for publication, such information on the subject as he may have or shall obtain.

*Approved March 25, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 30.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, April 14, 1874.*

The following Acts of Congress are published for the information and government of all concerned:

1...AN ACT making appropriations for the construction, preservation, and repair of certain fortifications and other works of defense, for the fiscal year ending June thirtieth, eighteen hundred and seventy-five.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the following fortifications and other works of defense, for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, namely:

For Fort Preble, Portland Harbor, Maine, twenty thousand dollars.

For Fort Scammel, Portland Harbor, Maine, thirty thousand dollars.

For Batteries, Portsmouth Harbor, New Hampshire, thirty thousand dollars.

For Batteries at Long Island Head, Boston Harbor, Massachusetts, forty thousand dollars.

For Fort Adams, Newport Harbor, twenty thousand dollars.

For Fort on Dutch Island, west entrance to Narragansett Bay, Rhode Island, twenty thousand dollars.

For Fort Trumbull, New London Harbor, Connecticut, twenty-five thousand dollars.

For Fort on Willet's Point, East River, New York, thirty thousand dollars.

For Fort Schuyler, East River, New York, twenty-five thousand dollars.

For Fort Hamilton and additional batteries, (for completing the same,) New York Harbor, New York, twenty-six thousand dollars.

For Fort on the site of Fort Tompkins, Staten Island, New York Harbor, New York, thirty thousand dollars.

For Battery Hudson, New York Harbor, New York, thirteen thousand dollars.



For Fort Delaware, Delaware River, Delaware, twenty-five thousand dollars.

For Battery at Finn's Point, Delaware River, New Jersey, thirty thousand dollars.

For New Fort, opposite Fort Delaware, Delaware River, thirty thousand dollars.

For Fort Monroe, Hampton Roads, Virginia, thirty thousand dollars.

For Fort Moultrie, Charleston Harbor, South Carolina, twenty thousand dollars.

For Fort Sumter, Charleston Harbor, South Carolina, twenty thousand dollars.

For Fort Pulaski, Savannah River, Georgia, twenty thousand dollars.

For Fort Jackson, Mississippi River, Louisiana, thirty thousand dollars.

For Fort Saint Philip, Mississippi River, Louisiana, thirty thousand dollars.

For Fort Taylor, Key West, Florida, twenty thousand dollars.

For Fort at Fort Point, entrance to San Francisco Harbor, California, thirty thousand dollars.

For Fort at Lime Point, San Francisco Harbor, California, thirty thousand dollars.

For Fort on Alcatraz Island, harbor of San Francisco, California, twenty thousand dollars.

For torpedoes for harbor-defenses, and preservation of the same, one hundred and twenty-five thousand dollars: *Provided*, That the money herein appropriated for torpedoes shall only be used in the establishment and maintenance of torpedoes to be operated from shore-stations for the destruction of an enemy's vessel approaching the shore or entering the channel and fairways of harbors.

For contingencies of fortifications, seventy-five thousand dollars.

For surveys and reconnaissances in the military divisions and departments, thirty thousand dollars.

For continuing exploration and survey of the Territories of the United States west of the one hundredth meridian, thirty thousand dollars.

*Approved April 3, 1874.*

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## II.—AN ACT to improve the mouth of the Mississippi River.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby appropri-

ated, out of any money in the Treasury not otherwise appropriated, the sum of thirty thousand dollars, to be expended by the Secretary of War at the mouth of the Mississippi River, said sum to be available from and after the passage of this act.

*Approved April 3, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

[illegible]

GENERAL ORDERS } WAR DEPARTMENT,  
No. 31. . } ADJUTANT GENERAL'S OFFICE,  
Washington, April 18, 1874.

The following Acts of Congress are published for the information and government of all concerned:

I...AN ACT for the relief of L. S. Campbell.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Quartermaster-General be, and he hereby is, directed to pay to L. S. Campbell, out of any money appropriated for the Quartermaster's Department, the sum of two hundred and twenty-four dollars.

*Approved March 26, 1874.*

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II...AN ACT for the relief of Lieutenant Alonzo V. Richards.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Paymaster-General be, and he is hereby, authorized and directed to pay Alonzo V. Richards, late second lieutenant in the Signal-Corps, United States Army, the pay and allowances of a second lieutenant of said Signal Corps from the twenty-second day of March, eighteen hundred and sixty-four, to the tenth day of May, eighteen hundred and sixty-five, less the pay of a sergeant of said corps, received by him during the said period, out of any moneys appropriated for the pay of the Army.

*Approved April 9, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 32. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, April 27, 1874.

The following Acts of Congress are published for the information and government of all concerned:

I.—AN ACT to establish a reservation for certain Indians in the Territory of Montana.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following-described tract of country, in the Territory of Montana, be, and the same is hereby, set apart for the use and occupation of the Gros Ventre, Piegan, Blood, Blackfoot, River Crow, and such other Indians as the President may, from time to time, see fit to locate thereon, viz: Commencing at the northwest corner of the Territory of Dakota, being the intersection of the forty-ninth parallel of north latitude and the one hundred and fourth meridian of west longitude; thence south to the south bank of the Missouri River; thence up and along the south bank of said river, to a point opposite the mouth of the Maria's River; thence along the main channel of the Maria's River to Birch Creek; thence up the main channel of Birch Creek to its source; thence west to the summit of the main chain of the Rocky Mountains; thence along the summit of the Rocky Mountains to the northern boundary of Montana; thence along said northern boundary to the place of beginning.

*Approved April 15, 1874.*

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II. AN ACT to donate the military reservation at Fort Steilacoom to the Territory of Washington for the use of the insane asylum.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section thirty-three of township numbered twenty north, of range numbered two east of Willamette meridian, embracing a portion of Fort Steilacoom military reservation, and the military barracks thereon, in the county of Pierce and the Territory of Washington, be, and the same is hereby, donated to the said Territory of Washington, for the use and purpose of an asylum for the insane of said Territory, and for no other purpose: *Provided,* That this act shall not be construed or have the effect to impair any rights of

any person in or to any portion of said lands acquired under any of the land laws of the United States.

*Approved April 15, 1874.*

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III...AN ACT for the relief of Henry C. Smith, of Indianapolis, Indiana.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to place the name of Henry C. Smith on the rolls as first lieutenant in Company H, Thirtieth Regiment Indiana Infantry volunteers, as of the date of June eighteenth, eighteen hundred and sixty-five; and that the proper accounting and pay officers shall allow and pay to said Smith the pay and emoluments of a first lieutenant from said date until the date of his discharge, deducting any sum or sums he may have received during said service.*

J. G. BLAINE,

*Speaker of the House of Representatives.*

MATT. H. CARPENTER,

*President of the Senate pro tempore.*

Received by the President April 9, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

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IV...AN ACT for the relief of Oliver Powers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Oliver Powers, of Company K, Tenth Tennessee Cavalry, be allowed pay as private from the fifteenth day of February, eighteen hundred and sixty-four, to the day of the muster out and discharge of said company, together with such bounties and allowances as would have been due him by law had his name remained on the roll of his company; and that the Pay Department is hereby directed to adjust and pay the same.*

J. G. BLAINE,

*Speaker of the House of Representatives.*

MATT. H. CARPENTER,

*President of the Senate pro tempore.*

Received by the President April 9, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 33. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, April 28, 1874.

The following Act of Congress is published for the information and government of all concerned:

AN ACT to provide for the inspection of the disbursements of appropriations made by officers of the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the Secretary of War to cause frequent inquiries to be made as to the necessity, economy, and propriety of all disbursements made by disbursing officers of the Army, and as to their strict conformity to the law appropriating the money; also to ascertain whether the disbursing officers of the Army comply with the law in keeping their accounts and making their deposits; such inquiries to be made by officers of the Inspection Department of the Army, or others detailed for that purpose: Provided, That no officer so detailed shall be in any way connected with the department or corps making the disbursement.*

SEC. 2. That the reports of such inspections shall be made out and forwarded to Congress with the annual report of the Secretary of War.

*Approved April 20, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 34.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 4, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT for the relief of Frank M. Kelly.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paymaster-General of the United States Army is hereby authorized and directed to pay to Frank M. Kelly, a private in Company F, First Regiment United States Cavalry, thirty dollars and thirty-nine cents, that amount being the value of certain articles of uniform-clothing purchased by him to replace a like number of articles consumed in the fire which destroyed one of the buildings at Camp Warner, Oregon, on the twenty-seventh day of January, eighteen hundred and seventy-three.*

*Approved April 17, 1874.*

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II..AN ACT to authorize and direct the Secretary of War to change the name of John Rziha, captain in the fourth regiment of infantry of the Army of the United States, on the register, rolls, and records of the Army, to John Laube de Laubenfels.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be authorized and directed to change, on the register, rolls, and records of the Army, the name of John Rziha, captain in the fourth regiment of infantry of the Army of the United States, to John Laube de Laubenfels; and that upon such change being made the said John Laube de Laubenfels shall hold the relative rank in said regiment and Army which he has heretofore held under the name of John Rziha, and shall be entitled to the same pay and emoluments, and to succeed to all the rights which he would have had under the name and designation of John Rziha: *Provided*, That the said change of name shall in no manner affect the liabilities and responsibilities, as an officer of the Army of the United States, of said John Laube de Laubenfels; but that under the name and designation of John Laube de Laubenfels, he shall be*

subject to all the liabilities, duties, and responsibilities that he would have been subject or liable to under the name and designation of John Rziha.

*Approved April 22, 1874.*

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III..AN ACT authorizing the Secretary of War to deliver certain condemned ordnance to the municipal authorities of Concord, Massachusetts, for monumental purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and is hereby, authorized to deliver to the municipal authorities of Concord, Massachusetts, ten pieces of condemned brass cannon, to be used in the erection of a monument at the Old North Bridge to commemorate the first repulse of the troops of Great Britain in the war of the Revolution, on the nineteenth day of April, seventeen hundred and seventy-five.*

*Approved April 22, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 35.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 5, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT to provide for the relief of the persons suffering from the overflow of the lower Mississippi River.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he hereby is, authorized and empowered to direct the issue temporarily of supplies of food and disused army clothing, sufficient to prevent starvation and suffering and extreme want, to any and all classes of destitute or helpless persons living on or near the lower Mississippi River, who have been rendered so by reason of the present overflow of the Mississippi River. This act shall expire on the first day of September, eighteen hundred and seventy-four.

*Approved April 23, 1874.*

II..AN ACT for the relief of William Rood, late private of the thirty-sixth regiment of Wisconsin Volunteers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Adjutant General of the Army be, and he is hereby, directed to remove the charge of desertion from the name of William Rood, late private company E, thirty-sixth regiment of Wisconsin volunteers, in view of his death while in service; and that the father of said William Rood shall be allowed and paid the pay and benefits and advantages due him, in the same manner and to the same extent as if the said charge of desertion had never been made, and application therefor had been filed before the thirtieth of January, eighteen hundred and seventy-three.

*Approved April 24, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General*



GENERAL ORDERS }  
 No. 36. }

WAR DEPARTMENT,  
 ADJUTANT GENERAL'S OFFICE,  
*Washington, May 14, 1874.*

The following opinion of the Hon. Reverdy Johnson, as Special Assistant to the Attorney General of the United States, is published for the information of all concerned:

BALTIMORE, April 6, 1874.

To Bvt. Brigadier General ALBERT J. MYER,

*Chief Signal Officer, Washington, D. C.*

SIR: The several questions upon which you have desired my opinion, I have considered with the care demanded by their importance.

The questions are these:

*First.* Is the act of the 24th July, 1866, entitled "An Act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," constitutional? And are the subsequent acts of 10th June, 1872, and 3d March, 1873, also constitutional?

*Second.* The Western Union and other telegraph companies having accepted the terms of the act of 24th July, 1866, what are the rights of the United States and the obligations of the companies by virtue of the same?

I proceed to consider these questions in their order.

The authority of Congress to pass the acts in question is under the provision in the eighth section of the first article of the Constitution of the United States, which gives to that body power "to regulate commerce with foreign nations and among the several States, and with the Indian tribes."

These powers, like all others vested in Congress, unless they are expressly restricted by some other provision in the Constitution, or by their very nature, are unlimited in regard to the subject with which they deal. And it is equally true that they are intended to continue as long as the Government exists. This commercial clause was designed to avert the mischief resulting from conflicting commercial regulations by the several States. It is, we know, historically true that such regulations, more than any other one cause, led to the adoption of the Constitution. Indeed, the peace and prosperity of the States demanded that legislation upon the subject should be made impossible. The end for which the power was vested in Congress, it was evident, could not be accomplished by the States. Their jurisdiction extended only over their respective limits. No regulation made by them separately could exceed those limits. Commerce, therefore, with foreign nations and among the several States, could only be regulated by a power possessing general jurisdiction. The theory of the Constitution—and all the powers with which Congress is clothed are in accordance with that theory—is that every power which could not be exercised by the States separately should be vested in Congress. The object of the Convention was to establish a government for a great nation, and was, of course, to repose in it every authority necessary to attain that result and to secure union and harmony at home as well as peace abroad. In relation to the powers so conferred, the Supreme Court has, over and over again, declared that they are to be construed as if there were no State governments. The constituency of the General Government are the people of the whole country—



the constituency of the State governments are the people of the States, respectively. In the language of Chief Justice Marshall in the case of *McCulloch vs. Maryland*, 4 Wheaton, 406, "If any proposition could command the universal assent of mankind, we might expect it would be this: that the Government of the Union, though limited in its powers, is supreme within its sphere of action. This would seem to result necessarily from its nature. It is the Government of all; its powers are delegated by all; it represents all and acts for all." Every power incidental to those expressly granted is as much granted as the expressly granted power. And every power not limited is intended to exist during the entire continuance of the Government. The design of the framers of the Constitution was that it should be for all time, unless it should be constitutionally modified. Nor, in the exercise of the incidental powers which Congress possesses, are they limited to the use of the means known to exist at the date of the Constitution. Whatever means, therefore, may at any time, through experience, or by the discoveries of science, or in any other way, be found out, may be resorted to. To apply these remarks to the subject before me: The matters to be regulated are, first, Foreign commerce; second, Commerce among the States; and third, Commerce among the Indian tribes. Whatever powers are incidental to the regulation of the first, are equally incidental to the regulation of the second and third. This seems to me to be obvious. The term is found in the same section and in the same clause of the Constitution. Whatever, therefore, is commerce among the States may be regulated by Congress, as well as whatever is commerce with foreign nations. What, then, is commerce, as the term is here used? Is it traffic alone, or is it not also intercourse, and the means by which traffic and intercourse may be carried on? If any doubt existed upon such a point, it was removed by the decision of the Supreme Court of the United States in the case of *Gibbons vs. Ogden*, 9 Wheaton, 1. In that case the Court said that "Commerce undoubtedly is traffic, but it is something more—it is intercourse;" and also said, "all America understands, and has uniformly understood, the word commerce to comprehend navigation. It was so understood, and must have been so understood, when the Constitution was framed." Whether the power be exclusively vested in the United States, or remains for any purpose in the States, is a proposition which I need not examine. It is, however, I think, clear from the opinion from which I have quoted that the judges who decided that case thought that the power was exclusive. Subsequent decisions of the same tribunal, or rather the opinions of some of the judges, leave this point in doubt. But there has been a uniform concurrence of views upon this point—that where, under the authority of the commercial clause, Congress has regulated to any extent commerce with foreign nations or among the several States, such regulation displaces all existing similar or inconsistent State regulations, and prohibits their adoption as long as the Congressional legislation remains.

Whatever, therefore, is a regulation by Congress, and tends to accomplish the end for which the power was given, must be constitutional. No authority claimed under a State, in conflict with it, has any validity. Nothing that a State can do, by legislation or otherwise, can in the slightest degree limit the power. In the case already quoted, as well as in the case of *McCulloch vs. Maryland*, 4 Wheaton, it was held that the question, what means Congress can resort to to accomplish the purpose of any granted power, is a matter entirely within its discretion. The language of the Court in the latter case, page 421, is, "Let the end be legitimate, let it be within the scope of the Constitution, and all means which are appropriate, which are plainly adapted to

that end, which are not prohibited but consist with the letter and spirit of the Constitution, are constitutional." This discretion belonging to Congress, the manner of exercising it is for them to decide. The object of the act of 24th July, 1866, as declared in its title, is to secure to the Government the use of telegraph lines "for postal, military, and other purposes." The power to establish post offices and post roads, and to declare war, to raise armies and provide navies, was expressly vested in Congress. Whatever, therefore, could aid in any way the work of the Army or the Navy or the postal service is within the discretionary power of Congress. That the telegraph will assist in accomplishing these results is clear. In time of war or of threatened war rapid communication between the Government and the Army may be all-important. And so in relation to the mails and the Navy. It may be vital that a fleet or a ship should sail on a certain day; that any impediments, by violence or otherwise, to the transmission of the mails may be removed at the earliest period, and this can be best accomplished through the means of information furnished by the telegraph. The operation, too, of the Signal Service, the beneficial use of which is now so universally acknowledged, cannot be accomplished by any other mode than by telegraph. Its beneficial use depends upon the receipt in Washington of information of the state of the weather in every part of the country. This information enables the Bureau to predict from day to day, with reasonable precision, the state of the weather for the next twenty-four hours. This scientific prediction may be most important to the commercial as well as to the naval marine of the country. When may a fleet or ship sail with a reasonable hope that they will encounter no extraordinary peril from the winds and waves? and when may they expect such perils? This knowledge can only be distributed throughout our ports by telegraph operated by the Bureau, or controlled by it so far as its dispatches are concerned. That the assistance of the telegraph is indispensable to these objects is obvious, and it is equally obvious that the mode in which this assistance is to be rendered should be placed in the hands and under the exclusive control of the Government. This is the purpose of the act of 1866 and the subsequent acts. Their constitutionality, therefore, in my judgment, is free of all reasonable doubt.

The next question under this head is: Can the United States themselves lay a telegraph line along the several railroads for their own use? To give them the power to communicate by telegraph and deny them the right to establish a telegraph line seems to me to be simply absurd. That the railroads in the country have been constructed for the most part under the authority of State charters in no manner affects the question. If the United States would have had the authority, as I think they clearly would, to construct telegraph lines over the sites occupied by the railroads, they cannot be deprived of the right to establish such lines over or along the railroads, if, by so doing, they in no way injure the working of the roads. Upon the whole, then, in reference to the question submitted to me, I am of opinion that the acts referred to of 24th July, 1866, 10th June, 1872, and 3d March, 1873, are constitutional.

*Second.* The Western Union and other telegraph companies having accepted the terms of the act of the 24th July, 1866, what are the rights of the United States and the obligations of the companies? The act in question conferred great privileges upon the companies. It authorized them to construct their lines through the Territories of the United States, and granted them valuable portions of the same. The rights secured to the United States are: that the telegrams of every department of the Government shall have priority over all other business, and the rates for such transmission are to be annually fixed by the Postmaster General.

What those rates are to be is submitted to his sole judgment. The object of the act was to give to the United States the authority to use the lines generally. No limitation of the time within which such right is to be exercised is provided for. Day or night, and at any period of the day or night, the right may be exerted. Any restriction upon it might be prejudicial to the interests of the Government, and cannot, therefore, be supposed to have been intended. It may be all-important to send communications to the different branches of the Army, wherever they may be, at an instant's notice; and so in relation to the Navy. To give to the companies the authority to say when such communications shall be forwarded would be to submit to them the interests of the Government. This could never have been designed.

And upon no rule of interpretation can the act be so construed. That the companies must have, if this right is in the United States, operators at their several stations, day and night, ready to receive and transmit all Governmental dispatches that may be handed in, is within the general terms of the contract; nor is the inconvenience to the companies occasioned by this obligation greater than that which is occasioned the officers of the Government. In the Signal Bureau some one of the operators must be on hand at all times during the twenty-four hours to receive or transmit all dispatches necessary to accomplish the objects of the Bureau. The sentinels in the Army are to be posted day and night. The same is true of the watches in the naval and commercial marine. It is no answer, therefore, to the rights claimed by the United States that its enjoyment of them will cause trouble to the agents of the companies. It is a trouble, if trouble it be, which the companies have agreed to assume, and a trouble, too, which at times may be vitally important to the true interests of the Government. And for this trouble the companies have been well compensated. The privileges granted to them, and the property secured to them, are of great value, and may in truth be said to be essential to their welfare. I am, consequently, of opinion that the Government has a right at all times, day or night, to have their messages transmitted by the companies who have assented or may assent to the act of 24th July, 1866. I am also of opinion that the Government has a right to drop their telegrams at all intermediate stations between the place from which they are sent and the place of their ultimate destination. The right to transmit involves the right to drop, as the dropping is a practice well known and used in the transmission of telegrams.

I understand that the Western Union Company has been advised that the rights of the Government and their own are secured by the contract growing out of the act of 1866, and that the same cannot be repealed or modified by the United States. Although the United States have not attempted to exercise such a right, and the question is not before me, yet I deem it due to the subject to say that the idea is founded upon a misapprehension of the Constitution.

The 10th section of its first article provides that "no State shall pass any law impairing the obligation of contracts." But this restriction, by its very terms, applies only to State legislation. What Congress may do, and is authorized to do, rests upon grounds irrespective of this provision. That such is the correct view, several Judges of the Supreme Court of the United States have more than once declared in official opinions, and I am not aware that any Judge of that tribunal has ever expressed a different view. The only limitation upon the power of Congress is to be found in the 5th constitutional amendment, which declares that "private property" shall not "be taken for public use without just compensation." But what is proposed by the Government in this instance is not to exercise the right of eminent domain by appropriating

private property for its own use, but to insist that the companies shall comply with their engagements entered into under the authority of the act of July 21, 1863, and for which they have been fully compensated. But conceding, for argument sake, that there is a contract between the Government and the companies who assented to the act of 1866, and that the same is protected by the constitutional clause first referred to, it is still evident that the same will not be in any way impaired by the Government not sending their dispatches through those companies, or by constructing a telegraph line for itself. As to the first, the Government has not agreed to send their telegrams by the companies. They have only reserved the right to do so. They may, therefore, not send any, or only a portion, of their dispatches, as they may think best.

*Secondly.* By constructing a line for itself, running near or in juxtaposition with the existing lines, they will not violate any such supposed contract. The States may authorize competing railroads, or canals, or bridges. The question of the right in the latter instance was decided in favor of the right by the Supreme Court of the United States in the case of the Charles River Bridge *vs.* Warren Bridge, 11 Peters, 536. If a State has the authority here adjudged, *a fortiori* have the United States. I am, therefore, clearly of the opinion that the Government may construct a line of its own, and transmit all messages which it may have occasion to transmit, and that the same will, in no respect whatever, interfere with any right of the existing companies.

I remain, with regard, your obedient servant,

REVERDY JOHNSON,  
*Assistant Attorney General.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 37.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 15, 1874.

Officers of the Quartermaster's Department will carefully and securely pack, prior to shipment, all quartermaster's stores which are liable to be tampered with while in hands of carriers, or in store.

Each box or package containing such stores will be sealed with sealing-wax, both at top and bottom, using the official seal provided for the particular depot or post, in such manner that the box or package cannot be opened without destroying the seal. The sealing-wax used on boxes should be placed in a hole bored into the wood, so that the impression may be protected from abrasion.

When several pieces go to make up either top or bottom of packing-boxes, each board on top and on bottom will have at least one sealed screw or nail.

Bales will be sealed at places on the seams where the seals will be least liable to be rubbed off in transportation.

The gross weight of each box, package, or bale, with date of weighing, will be distinctly marked thereon.

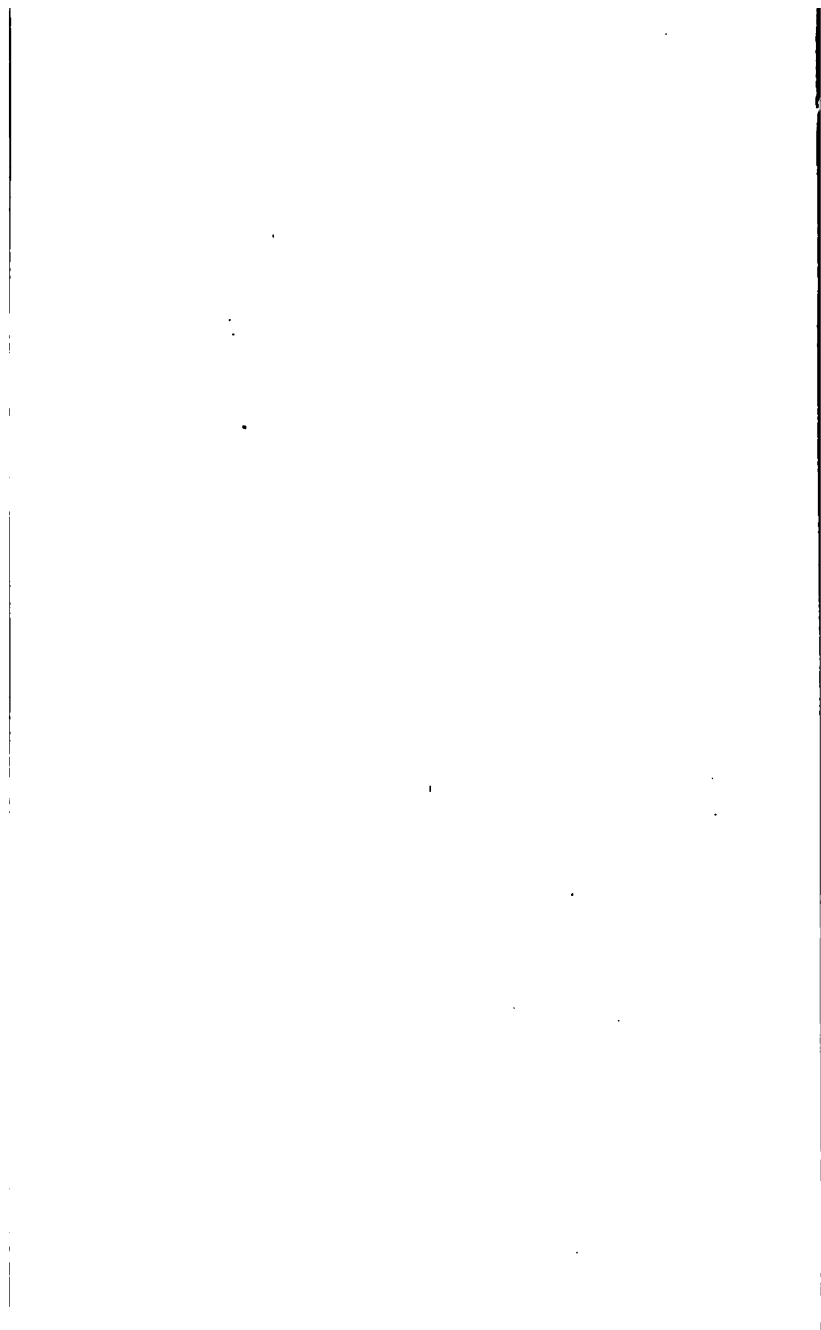
These instructions do not apply to shipments of grain in sacks, of bales of hay, or of other classes of stores, when the action indicated is impracticable or unnecessary; the object in view being to protect the Government from loss while stores, boxed or baled, are in hands of carriers, as also to trace responsibility when such boxes or bales remain in Government storehouses at military posts and stations, and are transferred unopened by one officer to another.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 38. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 15, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I...AN ACT for the relief of John B. Weber, late Colonel of the Eighteenth regiment Corps d'Afrique.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Paymaster of the Army be, and he is hereby, directed to allow and pay to John B. Weber, late Colonel of the Eighteenth Infantry, Corps d'Afrique, out of the appropriation for the pay of the Army, the pay and allowances as first lieutenant from the twenty-eighth day of September, eighteen hundred and sixty-three, until the eighth day of November, in the same year, being from the time he received his commission as such officer until the time when he was mustered into the service: Provided, That the said John B. Weber has not been paid for his services for that time.*

*Approved April 30, 1874.*

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II...AN ACT to render available an unexpended balance of appropriation for collection and payment of bounty, &c., for colored soldiers and sailors.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the balance of appropriation, or so much thereof as may be necessary, for collection and payment of bounty, prize-money, and other legitimate claims of colored soldiers and sailors, unexpended at the expiration of the fiscal year ending the thirtieth of June, eighteen hundred and seventy-three, may be expended under the direction of the Secretary of War for the payment of expenses incurred in the fiscal year ending the thirtieth of June, eighteen hundred and seventy-four, in the collection and payment of bounty, prize-money, and other legitimate claims of colored soldiers and sailors.*

*Approved May 1, 1874.*



III...AN ACT for the relief of William J. Scott, late aide-de-camp on the staff of General Spear.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized to pay to William J. Scott the pay and emoluments of an aide-de-camp with the rank of second lieutenant, from the twenty-first day of May, eighteen hundred and sixty-two, to the thirtieth day of October, eighteen hundred and sixty-two, deducting what pay, if any, he may have received during said period.*

*Approved May 5, 1874.*

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IV...AN ACT for the relief of William N. Williams, late a second lieutenant of volunteers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That William N. Williams, late a second lieutenant of the sixth regiment of Indiana volunteer infantry, be mustered as such second lieutenant to date from the thirtieth day of March, eighteen hundred and sixty-two; and that the Paymaster General of the Army pay him, out of any money in the Treasury appropriated for the pay of the Army, the sum of one hundred and thirty-eight dollars.*

*Approved May 8, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 39. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 15, 1874.

The following Act of Congress is published for the information and government of all concerned :

AN ACT to amend the thirty-first section of an act entitled "An act for enrolling and calling out the national militia, and for other purposes," approved March third, eighteen hundred and sixty-three.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all officers on duty at any point west of a line drawn north and south through Omaha City, and north of a line drawn east and west upon the southern boundary of Arizona, shall be allowed sixty days' leave of absence without deduction of pay or allowances: *Provided,* That the same is taken but once in two years: *And provided further,* That the leave of absence may be extended to three months, if taken once only in three years; or four months, if taken once only in four years.

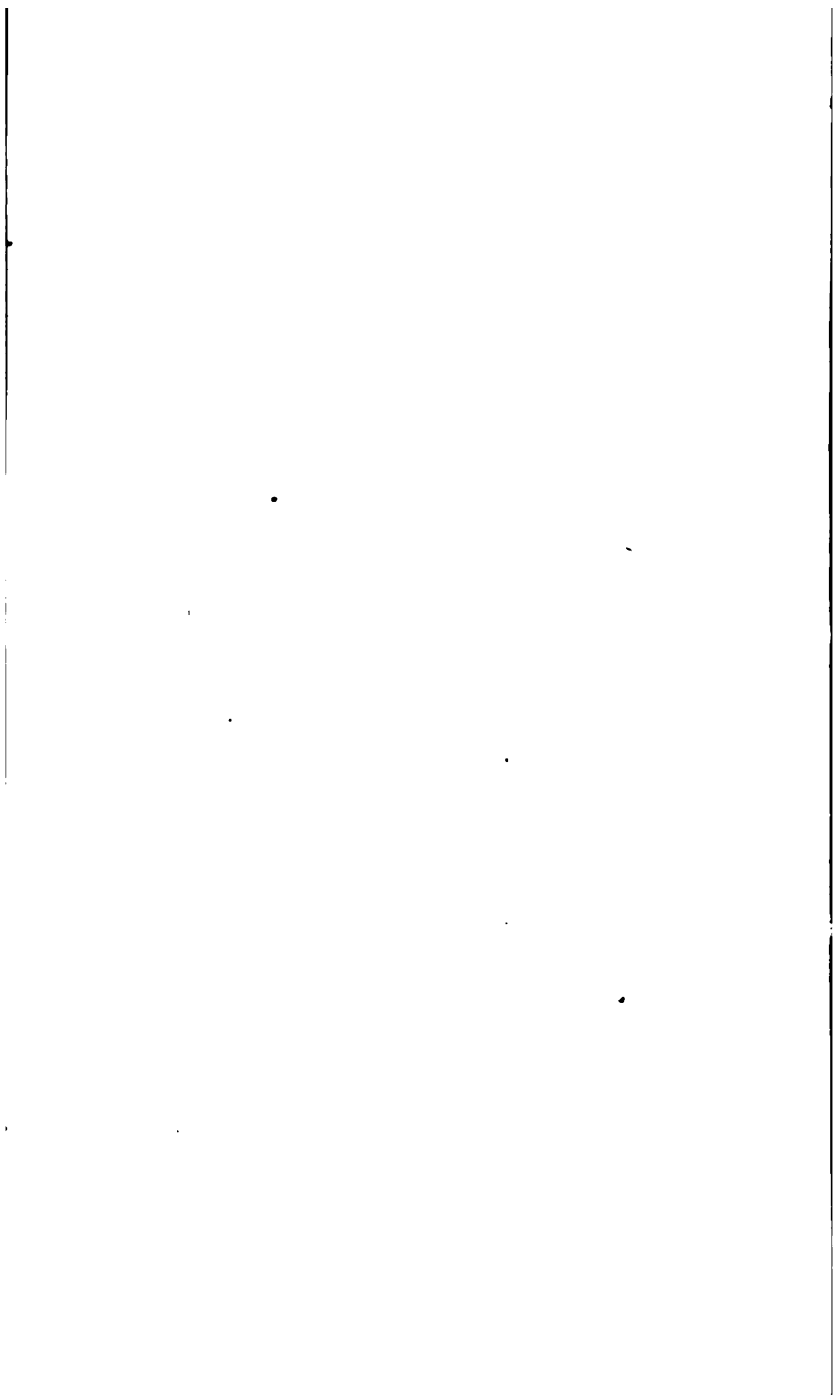
*Approved May 8, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 41. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, May 16, 1874.*

The following Act of Congress is published for the information and government of all concerned :

AN ACT to enable the Secretary of War to carry out the act of April twenty-third, eighteen hundred and seventy-four, entitled "An Act to provide for the relief of the persons suffering from the overflow of the Mississippi River," and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to enable the Secretary of War to carry out the provisions of the act approved April twenty-third, eighteen hundred and seventy four, entitled "An Act to provide for the relief of the persons suffering from the overflow of the lower Mississippi River," the sum of ninety-thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of purchasing supplies of food to be issued under his direction to any and all classes of destitute or helpless persons living on or near the lower Mississippi River who have been rendered so by reason of the recent overflow ; and that the Secretary of War make detailed report to the Congress of the expenditure under this act.

SEC. 2. That the Secretary of War is directed to issue temporarily of supplies of food and disused army clothing for the support and to prevent starvation and extreme want to any and all classes of helpless or destitute persons who have been rendered so by reason of the recent overflow of the Mississippi River, and to make report to Congress of such issue of food and clothing, and the condition and situation of such destitute people, and the sum of one hundred thousand dollars is hereby appropriated, out of any money in the treasury not otherwise appropriated, for such supplies of food or rations : *Provided*, That the authority hereby conferred upon the Secretary of War shall expire on the first day of September, eighteen hundred and seventy-four.

*Approved May 13, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 42. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
Washington, May 19, 1874.

The following Act of Congress is published for the information and government of all concerned:

AN ACT providing for the payment of the bonds of the Louisville and Portland Canal Company.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriations made by the act approved March third, eighteen hundred and seventy-three, entitled "An Act making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes," for the payment of the debts of the Louisville and Portland Canal Company, are hereby continued in full force, and are made permanently applicable to the payment of the debts of the said Louisville and Portland Canal Company; and so much as may be necessary shall be applied to the payment of the interest as it accrues, and the principal of the outstanding bonds of said company as they mature: Provided, however, That the Secretary of the Treasury may purchase and pay for any of said bonds, at the market price, not above par, whenever he deems it for the interest of the United States.*

SEC. 2. That after thirty days from the passage of this act the Secretary of War is hereby authorized and directed to take possession of the said Louisville and Portland Canal, and all the property, real and personal, of said company, as the property of the United States, as provided for by the act of the general assembly of the State of Kentucky, approved February twenty-second, eighteen hundred and forty-four, entitled "An Act to amend an act entitled 'An Act to amend the charter of the Louisville and Portland Canal Company,' approved January twenty-first, eighteen hundred and forty-two," conceding jurisdiction over said canal to the United States, subject, however, to the mortgage-lien on said property in favor of the trustees under said mortgage and the holders of the bonds issued under it; and the Secretary of the Treasury is hereby authorized to pay the directors of said company for the stock held by them, which payment shall be made forthwith by the Secretary of the Treasury, being the sum of one hundred dollars to each director, with interest thereon at six per centum per annum since the ninth day of February, eighteen hundred and sixty-four; and he is

authorized and directed to cause a careful and full examination of all the receipts and disbursements of the said company to be made, and to collect, and, if necessary, to sue for, any money due to or held for the said company by the directors of said company, or the trustees under said mortgage, or by any person whatever. And said Secretary of the Treasury is hereby directed and empowered, immediately upon the passage of this act, to give public notice in such manner as, in his judgment, will best effect the purpose, to all persons and corporations having debts of any nature against said Louisville and Portland Canal Company, except the bonded debt thereof, to present them to him on or before the first day of July, eighteen hundred and seventy-five; and any such debt not presented on or before said day shall be forever barred. And said Secretary is hereby directed and authorized to examine, audit, and, in his discretion, allow such debts, or any of them, being hereby vested with any power necessary to that end; and he shall embrace his action in the premises in his succeeding annual report: *Provided, however,* That no sum of money shall be paid by the Secretary of the Treasury on account of any claim for either city or State taxes assessed, or to be hereafter assessed, against said company, or against the said canal property or any of its appendages.

SEC. 3. That the said canal and property appertaining thereto shall be held for the common use and benefit of the people of the United States, free of all tolls and charges, except such as are necessary to pay the current expenses of said canal and to keep the same in repair; and for the present year they shall be at the rate of ten cents per ton capacity on vessels propelled by steam and five cents per ton on other vessels; and to ascertain what rates will pay current expenses after the present year, the Secretary of War shall, on the first Monday of January of each year, ascertain from the expenses of the previous year what tolls will probably pay the expenses of the current year; and he shall fix and declare the rate of tolls thus ascertained to be charged for the current year; and, until otherwise provided by law, the Secretary of War shall provide for the superintendence, management, and repair of said canal, and may apply the tolls so received, as far as may be necessary, to pay the current expenses of said canal; and he shall, in his next annual report, set forth such receipts and expenditures and the condition of said canal with a view to such legislation as may be necessary for the superintendence and management thereof; but no expenditure nor contract for expenditure of money shall be made under the authority of this section in any one year to an amount greater than the amount which may be received during such year from tolls on said canal.

SEC. 4. That if at any time it become necessary to enforce the lien of the mortgage upon said canal property for the benefit of the bondholders, it shall be lawful for the trustees named in said mortgage, or any other trustees who may be appointed in pursuance of the laws of Kentucky, to commence proceedings therein in any court having jurisdiction thereof, with notice to the United States as terre tenant pro forma, and serve process upon any officer of the United States who shall have the superintendence of said canal, whose duty it shall be to notify the Attorney General of the United States of such service; whereupon said Attorney General shall enter an appearance in said case, and take all necessary steps to represent and defend the interests of the United States in such proceedings, so that the same may be conducted in the same manner and with the like effect as if the said Louisville and Portland Canal Company were still in existence as a corporation.

*Approved May 11, 1874.*

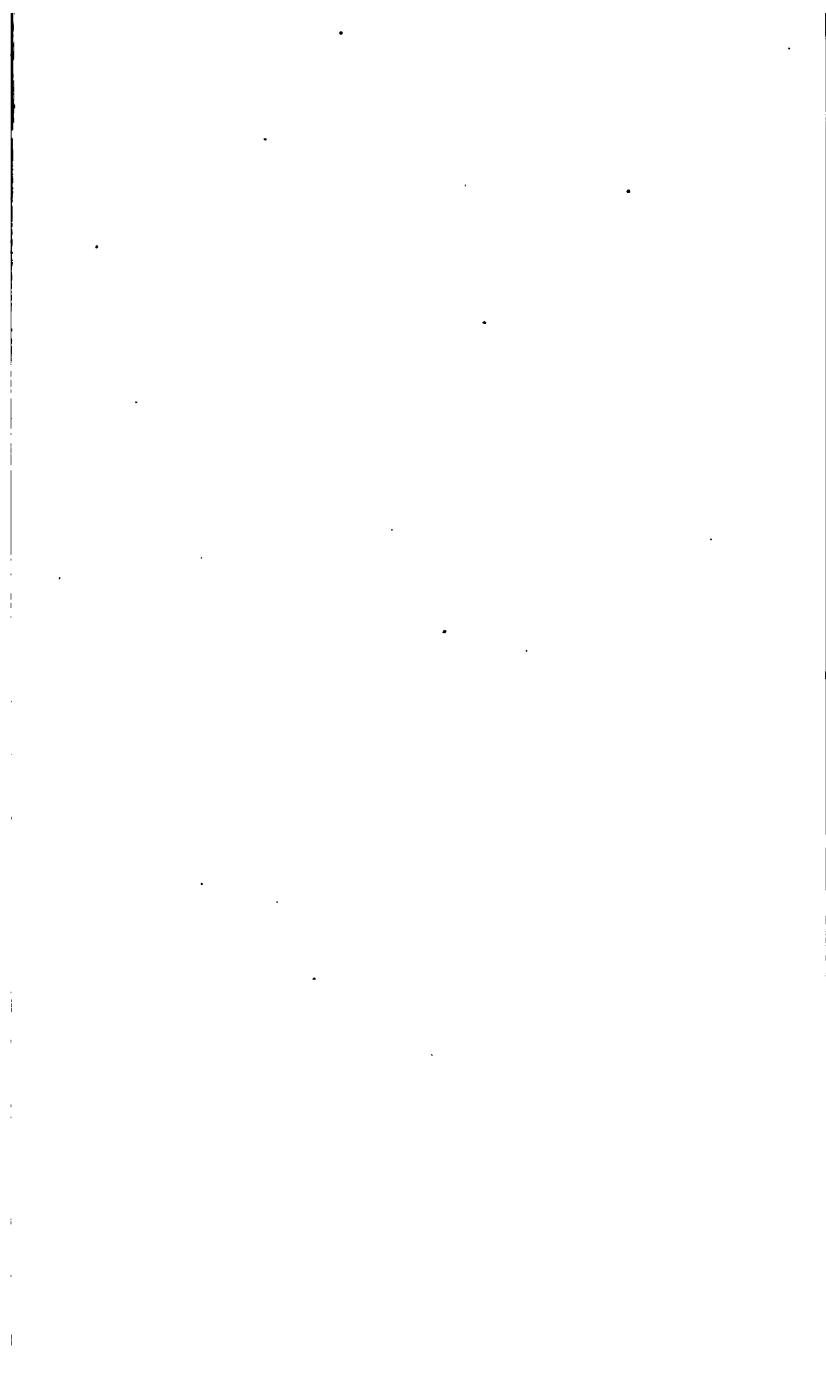
BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 43. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, May 21, 1874.*

With deep pain, the Secretary of War has to announce the decease, at the Washington Arsenal on the 20th instant, of Brigadier General A. B. DYER, Chief of Ordnance U. S. Army, and Major General by brevet.

General DYER entered the U. S. Military Academy in 1833, and July 1, 1837, was graduated and promoted a Second Lieutenant of Artillery. He was transferred as Second Lieutenant to the Ordnance Department at its organization in 1838.

In his minor duties, as Chief of Ordnance of the Army invading New Mexico, as Commander of various arsenals, and of the Springfield Armory—where he improved and extended the machinery for manufacturing arms to supply the Armies of the United States during the late war—and as a member of the Ordnance Board, he developed qualifications for the higher responsibilities of the Chief of Ordnance, to which he was appointed September 12, 1864.

He won the brevet commissions of First Lieutenant, "for gallant and meritorious conduct in the conflicts at Embudo and Taos, New Mexico;" of Captain, "for gallant and meritorious conduct in the battle of Santa Cruz de Rosales, Mexico;" and of Major General, "for faithful, meritorious, and distinguished services in the Ordnance Department during the rebellion."

The important scientific branch of military service over which he presided bears the impress of his genius and unflagging energy; not even physical suffering, which was prolonged by a wonderful vitality through an unusually long period, could weaken his lively interest in the profession to which he devoted so many years of marked ability and of untiring labor. In harmony with these strong traits, his many warm friends will remember his generous and genial temper, his unaffected simplicity and candor coupled with manly dignity, and above all, his uncompromising integrity.

The funeral ceremonies will take place from the Church of the Epiphany, on G street, between 13th and 14th streets, at 2 o'clock P. M. the 23d instant.

As appropriate honors to the memory of the deceased, minute guns (thirteen) will be fired at the Springfield Armory and at each Arsenal, commencing at 12 o'clock M., and the national flag will be displayed at half-staff from the same hour till sundown, on the next day after the receipt of this order at those posts.

The usual badge of mourning will be worn for thirty days by the officers of the Ordnance Department.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 44.

WAR DEPARTMENT.  
ADJUTANT GENERAL'S OFFICE.  
Washington, May 21, 1874.

The following Acts of Congress are published for the information and government of all concerned:

I..AN ACT to authorize the Secretary of War to furnish copies of certain papers called for by resolution of the House.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized to employ such number of temporary clerks as may be necessary to speedily copy and furnish to this House the papers heretofore called for in the matter of the trial of Captain Hurtt, by resolution of March tenth, eighteen hundred and seventy-four, and that the sum of two hundred and fifty dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury not otherwise appropriated, for the purpose of defraying the expenses thereof.

*Approved May 11, 1874.*

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II..AN ACT for the relief of Nathan Cole, late captain Twenty-third Regiment Veteran Reserve Corps.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proper accounting officers of the Treasury be, and they are hereby, authorized to credit Nathan Cole, late captain and brevet major Twenty-third Regiment Veteran Reserve Corps, in the settlement of his accounts with the United States, with the sum of one hundred and twenty dollars and eighty cents; the said sum having been collected by him while acting as agent of the Bureau of Refugees, Freedmen and Abandoned Lands, at Lewisville, Arkansas, in eighteen hundred and sixty-seven, and lost in transmission to the proper receiving and disbursing officer at Little Rock.

*Approved May 11, 1874.*

III. .AN ACT to settle the accounts of Captain A. B. Dyer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proper accounting officers of the Treasury be, and they are hereby, directed to allow to Captain A. B. Dyer, now brigadier general and Chief of Ordnance, in settling his accounts, the sum of nine thousand eight hundred and fifty-three dollars and forty-two cents; that being the amount charged against him on the books of the Treasury and transferred by the United States depository at Norfolk, Virginia, to the rebel authorities at Richmond. Virginia.*

*Approved May 12, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*A sistant Adjutant General.*

GENERAL ORDERS }  
No. 45. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, May 22, 1874.*

In order to carry out the requirements of the act of Congress approved April 20, 1874, entitled "An Act to provide for the inspection of the disbursements of appropriations made by officers of the Army," the inspections therein required will be made in conformity with the law cited, and with General Orders No. 87, series of 1872, excepting that they will be made as often as bi-monthly, instead of monthly as heretofore ordered.

The reports of the inspections of the accounts of all disbursing officers will hereafter be promptly forwarded through the regular military channels to the War Department.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }  
No. 46. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 23, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT for the relief of Lucius A. Rountree.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be directed to cause to be paid to Lucius A. Rountree the full pay and emoluments of a first lieutenant of infantry, of company A, Forty-sixth regiment of Missouri Volunteers, from the thirteenth day of September, eighteen hundred and sixty-four, to the third day of December, eighteen hundred and sixty-four, deducting therefrom any amount he may have received, as an enlisted man, during the time specified.*

*Approved May 14, 1874.*

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II..AN ACT for the relief of James Long.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be directed to cause to be paid to James Long the full pay and emoluments of a second lieutenant of infantry, of company A, forty-sixth regiment of Missouri Volunteers, from the thirteenth day of September, eighteen hundred and sixty-four, to the third day of December, eighteen hundred and sixty-four, deducting therefrom any amount he may have received, as an enlisted man, during the time specified.*

*Approved May 14, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



THE  
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THE  
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ROYAL ANTHROPOLOGICAL INSTITUTE

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PART 1

GENERAL ORDERS }

NO. 47. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 25, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I.. AN ACT granting a portion of the United States military reservation at Salt Lake City for cemetery purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to set apart a tract of land, not exceeding twenty acres in extent, in the United States military reservation of Camp Douglas, near Salt Lake City, in the Territory of Utah, to be used as a public cemetery, under such rules and regulations as he shall establish for the protection, care, and management of such cemetery. And he shall cause the same to be laid off and platted in convenient and suitable lots, which shall be forever devoted for the purpose of the burial of the dead. And he may set apart forever to each of the religious denominations organized in Salt Lake City which shall file with him proof of their organization a lot not to exceed one acre in size, and of convenient shape, which such denominations may inclose and ornament as they see fit, to be used for the purposes of burial; and two acres shall be reserved as a "potter's field," or common burying ground, which may be inclosed and ornamented by the authority of the said city.*

*Approved May 16, 1874.*

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II.. AN ACT for the relief of certain settlers on the Fort Randall military reservation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to transfer to the custody of the Department of the Interior such portions of the military reservation of Fort Randall, in Dakota, as were actually occupied by settlers prior to the promulgation of the order of the President of June fourteenth, eighteen hundred and sixty, setting apart the reservation for military purposes,*

and, further, such portions of the said reservation as were released from military occupation and control between the years eighteen hundred and sixty-seven and eighteen hundred and seventy, and were during that time settled upon in good faith and in the belief that the lands were open to settlement.

SEC. 2. That the Secretary of the Interior be authorized to confirm in accordance with existing laws, the titles of such settlers upon the military reservation of Fort Randall as may be reported by the Secretary of War for that purpose, and to cause patents to be issued for such lands as the aforesaid settlers may be entitled to under existing laws and the provisions of this act.

SEC. 3. That the Secretary of the Treasury be, and he is hereby authorized to pay to each of the aforesaid settlers the respective amounts that were appraised as the value of their respective improvements, by a military board of survey convened for that purpose, at Fort Randall, under instructions from the War Department, dated March third, eighteen hundred and seventy-one: *Provided*, That in case any improvements, or portion thereof, shall have been restored or delivered to any settler, after the appraisement of the same by the said military board of survey, such settler shall not be entitled to payment under this act for the improvements, or portion thereof, so restored or delivered to him.

*Approved May 18, 1874.*

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III. .AN ACT for the relief of James C. Livingston, late a private in company E, third regiment Iowa volunteer infantry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That James C. Livingston, late a private in company E, third Iowa regiment of volunteer infantry, shall be entitled to an honorable discharge from the service of the United States, to date July twenty-second, eighteen hundred and sixty-five, the date of the final muster of his regiment, and shall be entitled to his back pay and bounty, and shall be restored to all homestead and other rights, as fully and completely as though he had been honorably mustered out of said service with his regiment: *Provided*, That the claim for bounty and back pay of the said James C. Livingston shall be ad-

justed and paid without reference to the limitations contained in any law heretofore enacted for the filing of such claims in the Treasury Department.

*Approved May 18, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 48.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 25, 1874.

With a due regard to economy, it is necessary to adhere to a strict compliance with existing laws in regard to the purchase of subsistence stores. With a view to the selection of the best markets in which to make purchases, it is ordered that, hereafter, whenever subsistence stores are required in any considerable quantities for any section of the country, the Chief Commissary of Subsistence of the department or district whose duty it may become to procure the stores, will submit, through the Chief Commissary of Subsistence of the division in which he may be serving, a tabular statement showing quantities required, the quality and the prices at which stores were last obtained in the vicinity of the station where the stores are needed. This statement will be accompanied by such useful information as can be obtained in order to enable the Commissary General of Subsistence to determine the place and mode of procuring the supplies.

The Commissary General of Subsistence will, after an examination of the tabular statements, &c., give the necessary orders in such cases, as required by Paragraph 1176, Revised U. S. Army Regulations of 1863.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*

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GENERAL ORDERS }  
No. 49.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, May 25, 1874.*

I.. The practice, which appears to have become general, of soldiers on furlough applying to Division and Department Commanders for transportation back to their posts, under the provisions of General Orders No. 3, January 4, 1867, from this Office, is not warranted by the terms of said order and must be discontinued.

It is hereby announced, for the information and government of all concerned, that hereafter such transportation will only be ordered in urgent cases, where the applicant can show sufficient cause for his inability to pay his own expenses, and General Orders No. 3, of 1867, is modified accordingly.

II.. Hereafter furloughs will not be granted to a soldier by any commanding officer to go beyond the limits of the command of the next higher authority; and to warrant him in going outside those limits the sanction of said authority must be obtained and indorsed on the furlough.

III.. The restrictions as to the limits within which the soldier must confine himself will be set forth in all furloughs hereafter granted to enlisted men, and any furloughed soldier going beyond the prescribed limits will be held liable to arrest and the revocation of his furlough.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



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GENERAL ORDERS }  
No. 50.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 25, 1874.

I.. Paragraph 901, General Regulations, will be construed as including in its provisions officers detailed as members of Courts Martial and Courts of Inquiry, convened at posts adjacent to their own, and who, with the sanction of the Department Commander, return to their own posts on the daily adjournment of the Court.

II.. The effect of Paragraph 901 (when construed in connection with Paragraph 900) is evidently that, *as a rule*, where a Court adjourns *for less than three days*, the officers composing it shall not be liable to other duty; but the Regulation in this respect will be regarded as directory only, and liable to be varied by the exigencies of the case; hence, should the necessities of the service require it, the Department Commander can, in any case, modify the application of the rule, on the same principle that his *discretion* must be applied to any emergency of the service.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }  
No. 51.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 4, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I. . . AN ACT to relieve certain persons therein named, late members of company K, fifty-eighth regiment Illinois Volunteer Infantry, from the charge of mutiny.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Joseph Briggs, sergeant; Silas B. Harrington and Peter Redmond, corporals; and Peter Hanley, Alexander Valley, Michael Murphy, Owen Cahill, William McNeck, George Wilson, Samuel O'Neal, Henry F. Errett, and John Dunne, privates, and all late members of company K, fifty-eighth regiment Illinois Volunteer Infantry, be, and they are hereby, relieved from the proceedings, findings, and sentence of a court martial approved by Brigadier-General K. Garrard, January nineteenth, eighteen hundred and sixty-five, and wherein they were severally convicted of mutiny; and the said proceedings, findings, and sentence are hereby set aside and revoked, and the said persons restored in all respects to the same rights and privileges to which they would have been entitled if said proceedings, findings, and sentence had not been had or rendered.

J. G. BLAINE,

*Speaker of the House of Representatives.*

MATT. H. CARPENTER,

*President of the Senate pro tempore.*

Received by the President May 13, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

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II. . . AN ACT for the relief of George Yount.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Paymaster-General of the Army be, and is hereby, authorized and directed to pay to George Yount, late a second lieutenant of company I, third Missouri Volunteer Infantry, out of any money appropriated, or which may hereafter be appropriated, for the pay of the Army, a sum equal to the pay and emoluments of a second lieutenant of infantry, from the first day of September, eighteen hundred and sixty-three, to the seventh day of March, eighteen

hundred and sixty-four, deducting whatever pay he may have received for that period.

J. G. BLAINE,

*Speaker of the House of Representatives.*

MATT. H. CARPENTER,

*President of the Senate pro tempore.*

Received by the President May 13, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

III.—AN ACT for the relief of William A. Snodgrass, late lieutenant company H, Thirty-ninth regiment Ohio Veteran Volunteer Infantry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to pay to William A. Snodgrass, late lieutenant company H, thirty-ninth Ohio Veteran Volunteer Infantry regiment, his pay and allowances as second lieutenant from March thirtieth, eighteen hundred and sixty-five, to July ninth, eighteen hundred and sixty-five, out of any money appropriated, or that may hereafter be appropriated, for the pay of the Army.

J. G. BLAINE,

*Speaker of the House of Representatives.*

M. H. CARPENTER,

*President of the Senate pro tempore.*

Received by the President May 13, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 52. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 5, 1874.*

The following Act of Congress is published for the information and government of all concerned :

AN ACT to amend an act entitled "An Act to provide for the establishment of a military prison and for its government," approved March third, eighteen hundred and seventy-three.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That said act be, and the same is hereby, so amended that all acts and things therein required to be done and performed at Rock Island, in the State of Illinois, shall be done and performed on the military reservation at Fort Leavenworth, in the State of Kansas: *Provided,* That the Government buildings now on said military reservation at Fort Leavenworth shall be modified and used so far as practicable for the purposes of said prison.

*Approved May 21, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }  
No. 53. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 6, 1874.*

Cave Hill National Cemetery, near Louisville, Kentucky, is announced as belonging to the *fourth* class, in addition to those named in General Orders No. 51, June 22, 1872, and No. 3, January 10, 1874, from this Office.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 54. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 11, 1874.*

Paragraph 1, General Orders No. 9, February 8, 1871, from this Office, is hereby so modified as to include the issue of the blanket-lined overcoat, buffalo overshoes, and woolen mittens, as therein provided, at the following posts in the Department of California:

Camp Bidwell, California.

Camp Halleck, Nevada.

Camp McDermit, Nevada.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }

No. 55.

WAR DEPARTMENT.

ADJUTANT GENERAL'S OFFICE,  
Washington, June 12, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I...AN ACT to facilitate the execution of, and to protect certain public works of improvement at the mouth of the Mississippi River.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this act, the Secretary of War is directed to assume full control over the particular channel at the mouth of the Mississippi River in course of excavation or improvement by the Government of the United States, so far as may be necessary to the carrying on and protection of such excavation and improvement, and until the same be completed, and he may establish such regulations respecting the use of, or passage through, such channel as he shall deem needful to fully protect the channel and to facilitate the excavation, improvement, and use thereof. Such regulations shall be promulgated by publication thereof for ten days consecutively in two daily papers published in New Orleans, Louisiana, and the same may in like manner be changed from time to time; and any person interfering with, or obstructing, or attempting to obstruct, the said improvements, and any person who shall willfully or negligently strand or sink any boat or craft in said channel, or who shall willfully or negligently obstruct said channel, or cause any impairment, injury, filling up, or shoaling therein, shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine not exceeding five hundred dollars, or imprisonment for not more than six months, or both, in the discretion of the court.

*Approved June 1, 1874.*

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II...AN ACT to provide for the better protection of the frontier settlements of Texas against Indian and Mexican depredations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to construct and operate a line of telegraph, beginning at or near the city of Denison, in Grayson County, Texas; thence by the nearest practicable route to Fort Sill, Indian Territory; thence to Fort Richardson, Texas; thence along the northern frontier-

line of settlements to Forts Griffin and Concho; thence to the Pecos River at or near the mouth of Toyah Creek; thence to Fort Clarke on Las Moras Creek; thence to Fort Duncan on the Rio Grande; thence down the Rio Grande, via Fort McIntosh and Ringgold's Barracks, to Brownsville, so as to connect the military posts which are now, or may hereafter be, established on said line with the military headquarters of said district; and that the sum of one hundred thousand dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the Treasury of the United States not otherwise appropriated.

*Approved June 3, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 56.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 13, 1874.

The following Joint Resolution and Acts of Congress are published for the information and government of all concerned :

I...JOINT RESOLUTION authorizing the President to issue army rations and clothing to the destitute people on the Tombigbee, Warrior, and Alabama Rivers.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized in his discretion to direct the issue of Army rations, and clothing of patterns not now issued to the Army, to the starving and destitute people on the Tombigbee, Warrior, and Alabama Rivers, who have been rendered destitute by the inundation of their homes in the valleys of said rivers.*

*Approved May 28, 1874.*

II...AN ACT donating condemned cannon and cannon-balls to the posts of the Grand Army of the Republic of Philadelphia and other associations, for monumental purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized to deliver, if the same can be done without detriment to the Government, two condemned cannon and eight cannon-balls to each of the following-named organizations, for the purpose of ornamenting burial-grounds of deceased soldiers: To the post numbered two, Grand Army of the Republic, of Philadelphia, Pennsylvania; to the post numbered five, Grand Army of the Republic, of Philadelphia, Pennsylvania; to the post numbered six, Grand Army of the Republic, of Philadelphia, Pennsylvania; to the post numbered seven, Grand Army of the Republic, of Philadelphia, Pennsylvania; to the post numbered eight, Grand Army of the Republic, of Philadelphia, Pennsylvania; to the post numbered ten, Grand Army of the Republic, of Philadelphia, Pennsylvania; to the post numbered seventy-one, Grand Army of the Republic, of Philadelphia, Pennsylvania; to the post numbered nineteen, Grand Army of the Republic, of Philadelphia, Pennsylvania; and four condemned cannon and sixteen cannon-balls to each of the following organizations, namely: To the corporate authorities of the town of Winterport, State of Maine; to the Soldiers' Monument Association of Henderson County, State of Illinois; to the Northumberland County Monument Association of Pennsylvania; to Fuller Post No. seventy-four, Grand Army of the Republic, Catasauqua, Pennsylvania; to Del-*

aware County Soldiers and Sailors' Monument Association, at Chester, Pennsylvania; to Chapman Post, No. sixty-one, Grand Army of the Republic, at Mauch Chunk, Pennsylvania; to Doubleday Post No. one hundred and eighty-nine, of the Grand Army of the Republic, at Tamaqua, Pennsylvania; to the Monumental Association at York, Pennsylvania; to Post No. thirty, Grand Army of the Republic, at Cambridge, Massachusetts; to Post No. sixty-eight, Grand Army of the Republic, at Boston, Massachusetts; to the Soldiers' Monument Association at Springfield, Massachusetts; to Post No. one hundred and twenty-two, Grand Army of the Republic, at Amesbury, Massachusetts; to the trustees of the Soldiers' Monument Fund, at Akron, Ohio; to the officers of the Soldiers' Monument Association at Chalmette, Louisiana; to the Soldiers' Monument Association at Pomeroy, Ohio; to Post No. sixty-three, Grand Army of the Republic, at Natick, Massachusetts; to Post No. five, Grand Army of the Republic, at Morgantown, West Virginia; to Post No. eighty-nine, Grand Army of the Republic, at Beverly, Massachusetts; to the Soldiers' Monument Association at Binghamton, New York; and to the Soldiers' Monument Association at Alliance, Ohio.

*Approved June 3, 1874.*

III.—AN ACT granting a pension to Louisa H. Canby, widow of the late General E. R. S. Canby.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Louisa H. Canby, widow of Edward R. S. Canby, late Brigadier-General United States Army, and pay her a pension at the rate of fifty dollars per month from and after the passage of this act.

*Approved June 4, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 57. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 15, 1874.*

In accordance with the following opinion of the Attorney General, paragraph 1 of General Orders No. 40, May 16, 1874, from this Office, is hereby amended to read as follows:

The act of Congress of March 3, 1873, having extended the laws of the United States relating to customs, commerce, navigation and trade, and intercourse with Indian tribes, &c., over the mainland, islands, and waters of the territory ceded to the United States by the Emperor of Russia, by treaty concluded at Washington on the 20th day March, A. D. 1867, the introduction into the Territory of Alaska of spirituous liquors and wines is prohibited, except it be done "by order of the War Department or of any officer authorized thereto by the War Department." Such articles will be introduced into the Territory only upon special permits to be given from Headquarters Military Division of the Pacific, or from the Headquarters of the Department of the Columbia.

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## OPINION.

DEPARTMENT OF JUSTICE,  
*WASHINGTON, June 3, 1874.*

Hon. W. W. BELKNAP,  
*Secretary of War.*

SIR: I have the honor to acknowledge the receipt of your letter of the 31th ult., in which you submit for my official opinion the following question:

"Has this Department authority to permit the introduction of spirituous liquors and wines into the Territory of Alaska, when the liquors and wines are not for the use of officers of the United States or troops of the service?"

Section 20 of the act of June 30, 1834, (*4 Stats.*, 732.) imposes a penalty upon any person who should sell, exchange, or give, barter, or dispose of, any spirituous liquor or wine to an Indian, (in the Indian country,) or who should introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department.

By the act of February 13, 1862, (*12 Stats.*, 339,) this section was amended so as to read as follows: "That if any person shall sell, exchange, give, barter, or dispose of any spirituous liquor or wine to any Indian under the charge of any Indian superintendent or Indian agent appointed by the United States, or shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, such person, on



conviction thereof before the proper district court of the United States, shall be imprisoned for a period not exceeding two years, and shall be fined not more than three hundred dollars: *Provided, however,* That it shall be a sufficient defense to any charge of introducing or attempting to introduce liquor into the Indian country if it be proved to be done by order of the War Department, or of any officer duly authorized thereto by the War Department," etc.

This act, though in the nature of an amendment, is a substitute for the whole of section 20 of the act of 1834, and nothing of said section not contained in said act is left in force. The only way to read said section is as provided in said act. According to said section 20 as it originally stood, no liquor or wine could be lawfully introduced into the Indian country, "except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department;" but in the act of 1862 this phraseology is changed and it is provided, "That it shall be a sufficient defense to any charge of introducing or attempting to introduce liquor into the Indian country if it be proved to be done by order of the War Department, or of any officer authorized thereto by the War Department." I think the object and effect of this change were to invest the War Department with a jurisdiction over the introduction of spirituous liquors or wine into the Indian country to be exercised at its discretion. The said act of February 13, 1862, was re-enacted, with some not material alterations, by the act of March 15, 1864, (13 *Stats.*, 39.) and by the act of March 3, 1873, (17 *Stats.*, 530,) was made applicable to the Territory of Alaska.

I therefore return an affirmative answer to your question.

Very respectfully,

GEO. H. WILLIAMS,

*Attorney General.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 58.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
Washington, June 18, 1874.

The following Act of Congress is published for the information and government of all concerned:—

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any moneys in the treasury not otherwise appropriated, for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-five, as follows:

For expenses of the Commanding General's Office, five thousand dollars.

For expenses of recruiting and transportation of recruits, one hundred and five thousand dollars. And no money appropriated by this act shall be paid for recruiting the Army beyond the number of twenty-five thousand enlisted men, *including Indian scouts*. Nothing, however, in this act shall be construed to diminish the Signal Service, which shall be maintained as now organized under the authority of the Secretary of War.

For contingent expenses of the Adjutant-General's Department at the headquarters of military divisions and departments, three thousand dollars.

For expenses of the Signal Service of the Army, purchase, equipment, and repair of electric field-telegraphs and signal-equipments, twelve thousand five hundred dollars.

For pay of the Army, and for allowances to officers of the Army for transportation of themselves and their baggage when traveling on duty without troops, escorts, or supplies, and for compensation of witnesses while on court-martial service; for traveling expenses of paymasters' clerks; for payment of postage on letters and packages, and cost of telegrams received and sent by officers of the

Army on public business, eleven million four hundred thousand dollars: *Provided*, That only actual traveling expenses shall be allowed to any person *holding employment or appointment under* the United States, and all allowances for mileages and transportation in excess of the amount actually paid are hereby declared illegal; and no credit shall be allowed to any of the disbursing officers of the United States for payment or allowances in violation of this provision.

For subsistence of regular troops, engineers, and Indian scouts, two million four hundred and *nine thousand dollars*.

For regular supplies of the Quartermaster's Department, to wit: For the regular supplies of the Quartermaster's Department, consisting of stoves for heating and cooking; of fuel for officers, enlisted men, guards, hospitals, store-houses, and offices; of forage in kind for the horses, mules, and oxen of the Quartermaster's Department, at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry and scouts as may be mounted, and for the authorized number of officers' horses, including bedding for the animals; of straw for soldiers' bedding; and of stationery, including blank books for the Quartermaster's Department, certificates for discharged soldiers, blank forms for the Pay and Quartermaster's Departments, and for printing of division and department orders and reports, four million *two hundred and fifty thousand dollars*. *Provided*, That three hundred thousand dollars thus appropriated may be applied by the Commissary-General of Subsistence prior to the first day of July, eighteen hundred and seventy-four, to the purchase of subsistence supplies intended for the posts supplied through the Upper Missouri, and for other distant posts.

For incidental expenses, to wit: For postage and telegrams or dispatches; extra pay to soldiers employed under the direction of the Quartermaster's Department, in the erection of barracks, quarters, store-houses, and hospitals; in the construction of roads and other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters; expenses of expresses to and from the frontier-posts and armies in

the field ; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished ; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or *when traveling on orders*, and of non-commissioned officers and soldiers ; authorized office-furniture ; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, and guides for the Army ; compensation of clerks to officers of the Quartermaster's Department ; compensation of forage and wagon masters authorized by the act of July fifth, eighteen hundred and thirty-eight ; for the apprehension of deserters, and the expense incident to their pursuit ; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, to wit, hire of veterinary surgeons, medicine for horses and mules, picket-ropes, and for shoeing the horses of the corps named ; also, generally, the proper and authorized expenses for the movement and operations of the Army not expressly assigned to any other department, one million *two* hundred thousand dollars.

For purchase of horses for the cavalry and artillery, and for the Indian scouts, and for such infantry as may be mounted, three hundred thousand dollars.

For transportation of the Army, including baggage of the troops when moving either by land or water ; of clothing, camp and garrison equipage from the depots of Philadelphia and Jeffersonville to the several posts and army-depots, and from those depots to the troops in the field ; of horse-equipments and of subsistence-stores from the places of purchase, and from the places of delivery under contract to such places as the circumstances of the service may require them to be sent ; of ordnance, ordnance-stores, and small-arms from the founderies and armories to the arsenals, fortifications, frontier-posts, and army-depots ; freights, wharfage, tolls, and ferriages ; the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison-purposes ; for drayage and cartage at the several posts ; hire of teamsters, transportation of funds for the pay and other disbursing departments ; the expense of sailing public transports on the various rivers, the Gulf of Mexico,

and the Atlantic and Pacific ; for procuring water at such posts as from their situation require it to be brought from a distance ; and for clearing roads, and for removing obstructions from roads, harbors, and rivers to the extent which may be required for the actual operations of the troops in the field, four million dollars.

That no part of the money appropriated by this act shall be paid to any railroad-company for the transportation of any property or troops of the United States over any railroad which, in whole or in part, was constructed by the aid of a grant of public land on the condition that such railroad should be "a public highway for the use of the Government of the United States free from toll or other charge," or upon any other conditions for the use of such road, for such transportation ; nor shall any allowance be made out of any money appropriated by this act for the transportation of officers of the Army over any such road when on duty and under orders as a military officer of the United States. But nothing herein contained shall be construed as preventing any such railroad from bringing a suit in the Court of Claims for the charges for such transportation, and recovering for the same, if found entitled thereto by virtue of the laws in force prior to the passage of this act.

For hire of quarters for officers on military duty ; hire of quarters for troops ; of store-houses for the safe-keeping of military stores, offices, and of grounds for camps and summer-cantonments, and for temporary frontier-stations ; for the construction of temporary huts and stables ; and for repairing public buildings at established posts, one million four hundred thousand dollars.

For construction and repairs of hospitals, one hundred thousand dollars.

For purchase and manufacture of clothing, camp and garrison equipage, and for preserving and repacking stock of clothing, camp and garrison equipage, and materials on hand at the Schuylkill Arsenal and other depots, one million four hundred and fifty thousand dollars: *Provided*, That none of the money hereby appropriated shall be used in the purchase of hats, uniform-caps, forage-caps, uniform-coats, uniform-jackets, flannel sack-coats, and unlined coats, which articles the Quartermaster's Department shall issue from the supply now on hand, known as the old pattern ; and none of the articles above enumerated shall be purchased until those now on hand are exhausted.

For preservation of clothing and equipage from moth and mildew, *thirty* thousand dollars.

For maintaining national military cemeteries, one hundred and fifty thousand dollars.

For Army contingencies not provided for by other estimates, embracing all branches of the military service, one hundred thousand dollars: *Provided*, That none of the money hereby appropriated shall be expended, directly or indirectly, for any use not strictly necessary for and directly connected with the military service of the Government.

For purchase of medical and hospital supplies, pay of private physicians employed in emergencies, hire of hospital-attendants, expenses of purveying-depots, of medical examining boards, and incidental expenses of the Medical Department, two hundred thousand dollars.

For the Army Medical Museum and *for* medical and other necessary works for the library of the Surgeon General's Office, ten thousand dollars.

For engineer-depot at Willett's Point, New York, namely, remodeling portions of bridge equipage, and for the current expenses of the depot, purchase of engineering-materials for use in instruction of engineer-battalion, and purchase and repair of instruments for general service of the Corps of Engineers, nine thousand dollars.

For trials with torpedoes for harbor and land defense, and to instruct the engineer-troops in their practical construction and application, ten thousand dollars.

For the ordnance-service required to defray the current expenses at the arsenals; of receiving stores and issuing arms and other ordnance-supplies; of police and office duties; of rents, tolls, fuel, and lights; of stationery and office-furniture; of tools and instruments for use; of public animals, forage, and vehicles; incidental expenses of the ordnance-service, including those attending practical trials and tests of ordnance, small-arms, and other ordnance supplies, one hundred and twenty-five thousand dollars: *Provided*, That none of the money hereby appropriated shall be expended, directly or indirectly, for any use not strictly necessary for, and directly connected with, the military service of the Government; and this restriction shall apply to the use of public animals, forage, and

vehicles: *And provided further*, That none of the money hereby appropriated shall be expended for the construction or repair of buildings.

For manufacture of metallic ammunition for small arms, seventy-five thousand dollars.

For overhauling, cleaning, and preserving new ordnance stores on hand at the arsenals, fifty thousand dollars.

For repairing ordnance and ordnance stores in the hands of troops and for issue at the arsenals and depots, twenty-five thousand dollars.

For saddlers' tools, smiths' tools and materials, tool-bags, cavalry forges, with their tools and materials, for the cavalry service, twenty thousand dollars.

For purchase and manufacture of ordnance stores, to fill requisitions of troops, and for alteration of carriages now in use in sea coast forts, one hundred thousand dollars.

For infantry, cavalry, and artillery equipments, consisting of valises, haversacks, canteens, and great coat straps, and for recovering cavalry saddles with leather, and for manufacture of saddle-bags and repairing horse equipments for cavalry troops, one hundred thousand dollars.

For manufacture, at national armories, of the new model breech loading musket and carbine, adopted for the military service on recommendation of the board of officers convened under act of June sixth, eighteen hundred and seventy-two, one hundred thousand dollars: *Provided*, That no part of this sum shall be expended at said armories in the perfection of patentable inventions in the manufacture of arms by officers of the Army otherwise compensated for their services to the United States.

*For the construction of a post on the north fork of Loupe River in Nebraska, fifty thousand dollars: Provided*, That the cost of said post shall not exceed the amount hereby appropriated.

Sec. 2. That all balances of appropriations, for whatever account, made for the service of the Departments of the Quartermaster General and of the Commissary General of Subsistence, prior to July first, eighteen hundred and seventy-two, which on the thirtieth day of June, eighteen hundred and seventy-four, shall remain on the books of the Treasury, shall be carried to the surplus fund, except such as the Auditor of the Treasury whose duty it is to settle

accounts against such appropriations shall certify to the Secretary of the Treasury to be necessary in the settlement of such accounts as have been reported to him for payment by the Quartermasters and the Commissary Departments pending in his office. *And the Quartermaster General, Commissary General, and Third Auditor of the Treasury shall continue to receive, examine, and consider the justice and validity of such claims as shall be brought before them under the act of July fourth, eighteen hundred and sixty-four, and the acts amendatory thereof; and the Secretary of the Treasury shall make report of each claim allowed by them, at the commencement of each session of Congress, to the Speaker of the House of Representatives, who shall lay the same before Congress for consideration.*

*Approved, June 16, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS )

No. 59. )

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 19, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I. . . AN ACT for the relief of Dewight Desilva, of Deposit, New York.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Adjutant General of the Army be, and he is hereby, authorized and directed to change his record so as to relieve Dewight Desilva, of Deposit, New York, late a private in company F, fifty-sixth regiment of New York State Volunteers, from the charge of desertion, and to furnish him an honorable discharge.

SEC. 2. That the proper accounting officer of the treasury be, and he is hereby, authorized and directed to allow and pay to said Dewight Desilva all arrears of pay due him at the time of his absentsing himself from his regiment and all veteran bounty, the same as if he had been honorably discharged at the end of his term of service.

*Approved June 8, 1874.*

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II. . . AN ACT for the relief of Pat. O. Hawes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Paymaster General be, and he is hereby, authorized and directed to pay Pat. O. Hawes, late second lieutenant in the forty-fifth Kentucky regiment of Volunteer Infantry, United States Army, the pay and allowances of a second lieutenant of infantry from the twenty-fifth day of September, eighteen hundred and sixty-three, until the twenty-third day of January, eighteen hundred and sixty-four.

*Approved June 8, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 60. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 19, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I. . AN ACT to legalize and establish a pontoon railway-bridge across the Mississippi River at Prairie du Chien, and to authorize the construction of a similar bridge at or near Clinton, Iowa.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the railway pontoon-bridge across the Mississippi River, and an island therein, communicating with the Milwaukee and Saint Paul Railway at Prairie du Chien, in the State of Wisconsin, and the Milwaukee and Saint Paul Railway at North McGregor, in the State of Iowa, be, and is hereby, legalized and declared a lawful structure: Provided, That the said John Lawler and the said Prairie du Chien and McGregor Railway Company, their successors and assigns, shall keep up and maintain a suitable pontoon-draw of not less than three hundred and ninety-six feet in length in the eastern channel, and one of not less than four hundred and eight feet in length in the principal or western channel of said river; and that said draws shall be opened promptly, upon reasonable signal, for the passage of boats or rafts; but in no case shall unnecessary delay occur in opening the said draws before or after the passage of trains; and that the said parties shall maintain, at their own expense, from sunset to sunrise, throughout the year, such lights on said bridge as may be required by the Light-House Board, for the security of navigation.*

SEC. 2. That all railway companies desiring to use said pontoon-bridge shall have, and be entitled to, equal rights and privileges in the passage of the same, and in the use of the machinery and fixtures thereof, and of all approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War upon hearing the allegations and proofs of the parties in case they shall not agree; and the United States shall have the right of way for postal telegraph purposes across said bridge; also, no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportation over the railroads or public highways leading to said bridge; and in case of any litigation arising from any obstruction or alleged obstruction to the navigation of the river, created by the construction of said bridge under this act, the cause or question arising may be tried before the district court of the United States of any State in which any portion of said obstruction or bridge touches.

SEC. 3. That the right to alter or amend this act, so as to prevent or remove all material obstructions to the navigation of said river, is hereby expressly reserved, without any liability of the Government for damages on account of the alteration or amendment of this act, or on account of the prevention or requiring the removal of any such obstructions; and if any change be made in the plan of construction of said pontoon-bridge, such change shall be subject to the approval of the Secretary of War; and any change in the construction, or any alteration of said bridge, that may be directed at any time by Congress or the Secretary of War, shall be made at the cost and expense of the owners thereof.

SEC. 4. That the bridge heretofore authorized to be erected across the Mississippi River at or near Clinton, Iowa, by section one of an act entitled "An Act to authorize the construction of a bridge across the Mississippi River at or near the town of Clinton, in the State of Iowa, and other bridges across said river, and to establish them as post roads," approved April first, eighteen hundred and seventy-two, may be constructed and maintained as a pile and pontoon-bridge, subject to the terms, restrictions, and requirements contained in the foregoing sections of this act: *Provided*, That in the bridge mentioned in this section only one draw shall be required unless otherwise determined by the Secretary of War, which draw shall be located as he may direct, and be not less than four hundred and eight feet in width.

*Approved June 6, 1874.*

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II. AN ACT to reduce the area of the military reservation of Fort Sanders, and providing for the survey of said reservation as reduced.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the military reservation of Fort Sanders, in the Territory of Wyoming, is hereby reduced in area, and the said reservation shall, after the passage of this act, be limited and bounded as follows: Beginning at the point where the old stage-road to Salt Lake crosses the Big Laramie River, and running thence east four miles; thence south four and five-tenths miles; thence in a west southwest direction to the junction of what is known as the Five Mile Creek with the present south line of the reserve; thence along this creek to its junction with the Big Laramie River; thence along said Big Laramie River to the place of beginning.

SEC. 2. That immediately after the passage of this act it shall be the duty of the officer commanding the military department of the Platte, under the direction of the Secretary of War, to cause a direct survey of

said reservation to be made in conformity with the provisions of the first section of this act, and to have posts or monuments planted at each of the corners thereof, and so marked that they will indicate the boundaries of said reservation.

SEC. 3. That the lands heretofore constituting the Fort Sanders military reservation outside of the limits of the new reservation, as defined in section one of this act, shall be held to be and have been subject and liable to the operation of the laws of the United States in the same manner and to the same extent as if the same had never been included within the limits of said reservation: *Provided*, That in all cases where any of said last-mentioned lands would be subject to entry under the pre-emption and homestead laws of the United States, the actual settlers on said lands shall have the right and privilege to make proof and payment for their respective claims, under the provisions of the pre-emption and homestead laws, by filing their declaratory statements, as provided by existing laws, at any time within six months from the passage of this act.

*Approved June 9, 1874.*

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III...AN ACT granting one condemned cannon to Prescott Post No. One, Grand Army of the Republic, for the erection of a monument at Providence.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he hereby is, authorized to deliver, if the same can be done without detriment to the Government, one condemned cannon to Prescott Post No. One, Grand Army of the Republic, to be used in the erection of a monument in the North Burial Ground at Providence, Rhode Island.

*Approved June 10, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

III.—AN ACT for the relief of Jonathan L. Mann, late a chaplain in the volunteer service of the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Adjutant General of the United States Army be, and he is hereby, directed to muster back Jonathan L. Mann, chaplain ninth Tennessee volunteer cavalry, to October twenty-eight, eighteen hundred and sixty-three; and that the Paymaster General of the United States Army is hereby directed to pay to Jonathan L. Mann, late chaplain ninth Tennessee volunteer cavalry, out of any money appropriated or that may be appropriated for the pay of the Army, the full pay and emoluments of a chaplain of volunteer cavalry in the Army of the United States, from the twenty-eighth day of October, eighteen hundred and sixty-three, to March twenty-fourth, eighteen hundred and sixty-five, deducting therefrom any sum received by him for services rendered during said period in the Army of the United States.

J. G. BLAINE.

*Speaker of the House of Representatives*

MATT. H. CARPENTER.

*President of the Senate pro tempore.*

Received by the President June 4, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 62. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 22, 1874.*

The act making appropriations for the support of the Army for the fiscal year ending June 30, 1875, provides that "no money appropriated by this act shall be paid for recruiting the Army beyond the number of 25,000 enlisted men, including Indian scouts. Nothing, however, in this act shall be construed to diminish the Signal Service, which shall be maintained as now organized under the authority of the Secretary of War."

In obedience to this act all recruiting for the Army will be discontinued until further orders, except that non-commissioned officers, and other meritorious soldiers, may be re-enlisted *at the posts where they may be stationed*, on the expiration of their present terms of enlistment.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



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GENERAL ORDERS }

No. 63. }

WAR DEPARTMENT.

ADJUTANT GENERAL'S OFFICE,  
*Washington, June 23, 1874.*

The following Act of Congress is published for the information and government of all concerned :

AN ACT making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, eighteen hundred and seventy-five.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending June thirtieth, eighteen hundred and seventy-five:

For additional pay of officers, and for pay of instructors, professors, cadets, and musicians, two hundred and thirty-seven thousand dollars.

For repairs and improvements, timber, plank, boards, joists, wall-strips, laths, shingles; slate, tin, sheet-lead, nails, screws, locks, butts, hinges, glass, paint, turpentine, oils, bricks, varnish, stone, lime, cement, plaster, hair, blasting-powder, fuze, iron, steel, tools, mantels, and other similar materials, fourteen thousand five hundred dollars.

For pay of citizen-mechanics and labor employed upon repairs that cannot be done by enlisted men, eight thousand dollars.

For fuel and apparatus, namely, coal, wood, stoves, grates, furnaces, ranges, fire-bricks, and repairs of steam-heating apparatus, fourteen thousand dollars.

For gas-pipes, fixtures, lamp-posts, gas-lamps, gasometers, and retorts, and annual repairs, six hundred dollars.

For fuel for cadets' mess-hall, shops, and laundry, three thousand five hundred dollars.

For postage and telegrams, three hundred dollars.

For stationery, blank-books, paper, envelopes, quills, steel pens, pencils, mucilage, wax, and ink, six hundred dollars.

For transportation of materials, discharged cadets, and ferriages, one thousand eight hundred dollars.

For printing-type, materials for office, diplomas for graduates, registers, and blanks, seven hundred dollars.

For compensation of pressman and lithographer, one hundred dollars.

For clerk to disbursing officer and quartermaster, one thousand six hundred and fifty dollars.

For clerk to adjutant, one thousand five hundred dollars.

For clerk to treasurer, one thousand five hundred dollars.

For department of instruction in mathematics, namely: For repairs of instruments, fifty dollars; text-books and stationery for instructors, thirty dollars.

For department of artillery, cavalry, and infantry tactics, namely: For tan-bark for riding-hall and gymnasium, three hundred dollars; repairing camp-stools, tents, and camp furniture, fifty dollars; flooring and mats, apparatus, and repairs of gymnasium, five hundred dollars; clock and furniture for office of commandant of cadets, seventy-five dollars; stationery for use of instructor and assistants, one hundred dollars; foils, gloves, masks, fencing-jackets, and repairs, two hundred dollars.

For department of civil and military engineering: For models, maps, repairs of instruments, text-books, books of reference, and stationery for use of instructors, five hundred dollars.

For department of chemistry, mineralogy, and geology: For chemicals, including chemical apparatus, glass and porcelain ware, paper, wire, and sheet metal and ores, and photographic materials, nine hundred dollars; rough specimens, files, alcohol, lamps, blow-pipes, pencils, and steel and agate mortars, for practical instruction in mineralogy; for fossils illustrating the different rock formations, for daily use in section rooms, and for gradual increase of the cabinet, eight hundred dollars; repairs and additions to electric, galvanic, magnetic, electro-magnetic, magneto-electric, pneumatic, and thermic apparatus, and apparatus illustrating optical properties of substances, eight hundred dollars; carpenters' and metal work, including materials for the same, fifty dollars; pay of mechanic to be employed in chemical and geological section rooms and in the lecture room, one thousand and fifty dollars; models and diagrams, fifty dollars; books of reference, text-books, and stationery for the use of instructors, and contingencies, three hundred dollars; compensation to attendant, fifty dollars.

For department of natural and experimental philosophy: For instruments to determine magnetic intensity and declination, six hundred dollars; compensation to mechanic's assistant, one thousand dollars; compensation to attendant, fifty dollars; repairs and contingencies, six hundred dollars.

For department of practical military engineering: For mining materials and for profiling, fifty dollars; telegraphing and signaling, twenty-five dollars; drawing materials, stationery, and text-books, twenty-five dollars; repairs of instruments, twenty-five dollars; contingencies, twenty-five dollars; one five-oared barge, four hundred dollars.

For department of French : For text-books and stationery for the use of instructors, seventy-five dollars.

For department of Spanish : For text-books and stationery for the use of instructors, fifty dollars.

For department of law and ethics : For text-books and stationery and books of reference for the use of instructors, fifty dollars : *Provided*, That the Secretary of War may assign one of the judge-advocates of the Army to be professor of law.

For department of drawing : For models for second class, one hundred dollars ; models for third class, one hundred dollars ; tar-board for mounting models, thirty dollars ; frames for securing models from injury, fifty dollars ; colors, brushes, pencils, and paper for the use of instructors, twenty-five dollars.

For expenses of the board of visitors, four thousand two hundred dollars.

For miscellaneous and contingent expenses : For gas, coal oil, candles, and wicking for lighting the academy, cadet barracks, mess hall, offices, stable, and sidewalks, four thousand dollars ; water-pipes, plumbing, and repairs, two thousand dollars ; cleaning public buildings, (not quarters,) five hundred and sixty dollars ; brooms, brushes, pails, tubs, soap, and cloths, two hundred dollars ; chalk, crayons, sponge, slate, and rubbers for recitation rooms, one hundred dollars ; compensation of chapel organist, two hundred dollars ; compensation of librarian, one hundred and twenty dollars ; compensation of non-commissioned officer in charge of mechanics, fifty dollars ; compensation of soldier writing in adjutant's office, fifty dollars ; pay of engineer of heating and ventilating apparatus for the cadet barracks, chapel, and philosophical academy, including the library, one thousand five hundred dollars ; pay of assistant of same, seven hundred and twenty dollars ; pay of five firemen, two thousand two hundred dollars ; increase and expense of the library, books, magazines, periodicals, and binding, two thousand dollars.

For pay of librarian's assistant, one thousand dollars.

For contingencies for superintendent of the academy, one thousand dollars.

For furniture for cadet hospital, and repairs, one hundred dollars.

For printing catalogue for library, five hundred dollars.

Buildings and grounds : For repairing and opening roads and walks, five hundred dollars.

For continuing superstructure of the new hospital for cadets, twenty thousand dollars.

For continuing construction of sewerage from barracks and quarters, three thousand dollars.

For repairs to reservoirs and increasing capacities, one thousand dollars.

*Approved June 6, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 64.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 23, 1874.*

Division and Department Commanders will, through the Inspectors attached to their headquarters, or by details of such other officers within their commands as may best secure the object, provide for the bi-monthly inspections of Disbursing Officers under their orders, required by General Orders No. 45 of 1874.

Where Inspector Generals are making inspections of Divisions or Departments under orders from the War Department, the Commanding Generals will be duly notified, when one of the inspections herein required may be omitted.

The inspections called for by General Orders No. 45 of 1874 are not necessarily to be performed at definitely specified intervals of two months, or at regularly recurring dates. The duty required by the act of Congress approved April 20, 1874, upon the subject of inspections is deemed to be sufficiently discharged by attaining six inspections per annum, with reasonable intervals of time between any two inspections.

The blank inspection reports furnished from the Inspector General's Office are designed for use in inspecting the accounts of the Chief Disbursing Officers of Divisions and Departments, and of other officers who disburse considerable sums of money. Where the disbursements are small, as at most military posts, the inspections and reports will conform to the requirements of the law above cited, but the specific form of the blank reports will not be required.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }  
No. 65. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 23, 1874.*

Medical officers in charge of post hospitals will prepare, at the beginning of each fiscal year, and forward, without delay, through the regular official channels, to the Adjutant General U. S. Army, detailed estimates of repairs, alterations, or additions required for their respective hospitals during the fiscal year, or for the erection of new hospital buildings when deemed necessary.

The estimates will be accompanied by such drawings as may be necessary to their full understanding, and will show the kind and cost of the materials and labor to be procured, and to what extent, if any, the work can be performed by the troops.

Where no alterations or repairs are required, that fact will be immediately reported.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General*

OFFICIAL:

*Assistant Adjutant General.*



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GENERAL ORDERS }  
No. 66.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 24, 1874.

To correct practices sometimes alleged to exist, and often leading to losses to the Government, the following rules are announced :

*Responsibility for Company Clothing, Arms, &c.*

I..The pecuniary responsibility being by law vested in the company commander who receipts for the property, cannot be transferred to enlisted men. It is the duty of the commander to attend personally to its security, and either to himself superintend the issues or cause it to be done by a commissioned officer. The plea that the keys of store-rooms or chests, and the making of issues, were entrusted to enlisted men, or to civilians, without direct proof of vigilance on the part of the responsible officer, and a resort to every reasonable precaution, including frequent personal inspection intended to prevent loss or damage, will not be accepted by Boards of Survey as relieving such officer from liability. Evidence must be demanded showing clearly the circumstances of the loss and all the means and precautions taken to guard against it; and reviewing officers, in examining the proceedings and findings of such Boards, will apply the principles set forth in this order and be governed by them in affixing their approval. Paragraph 1027, Army Regulations of 1863, relates to this subject, and is as follows:

"1027. If any article of public property be lost or damaged by neglect or fault of any officer or soldier, he shall pay the value of such article, or amount of damage, or cost of repairs, at such rates as a Board of Survey, with the approval of the commanding officer, may assess, according to the place and circumstances of the loss or damage. And he shall, moreover, be proceeded against as the Articles of War provide, if he demand a trial by court martial, or the circumstances should require it."

II..Whenever a deserter carries off with him articles of public property, they must be charged against him on the first subsequent muster-rolls on which his name appears. Corrections in charges already made against men upon a muster-roll, whether deserters or not, can only be made when approved by the officer who mustered the company. Corrections in charges on any roll previous to the last one received can only be made on the affidavits of one or more disinterested persons to the accuracy of the desired correction.

*Issues of Quartermaster's or Subsistence Stores.*

III.. When it is impracticable for the officer responsible to personally superintend issues—as may be the case with officers charged with disbursements or the care of depots—the greatest caution must be used in the selection of the agents employed, whether enlisted men or civilians. It is a manifest duty of officers upon whom it may fall to detail enlisted men for such service, to *select* only those of whose fidelity they can be reasonably sure.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 67. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 24, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I. . AN ACT to authorize an appointment in the Inspector General's Department.

Whereas a vacancy of lieutenant-colonel in the Inspector General's Department of the Army originated on the thirteenth of June, eighteen hundred and sixty-seven, to which Major Absalom Baird was entitled to be promoted under the laws then in existence, but from which he was excluded by reason of another appointment in said department previously made, and Whereas an act of Congress approved June eighth, eighteen hundred and seventy-two, which was passed with the intention of rectifying this wrong, has failed to secure to Major Baird his just rights: Therefore—

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and hereby is, authorized to nominate and promote Absalom Baird to be lieutenant colonel and assistant inspector-general, to date from June thirteenth, eighteen hundred and sixty-seven; but no pay or allowance shall be made to him for any time prior to the passage of this act.*

*Approved June 16, 1874.*

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II. . AN ACT to create an additional major of artillery, and to promote Captain James M. Robertson.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That an additional major be added to the Second Regiment of Artillery, to be filled by the nomination and appointment of Captain James M. Robertson, of said regiment, by the President of the United States; and that the said Robertson take rank next after the junior major of artillery: Provided, however, That the additional major added by this act to the Second Regiment of Artillery shall not hereafter be filled by any other officer, and that the office shall expire whenever, by any casualty, the number of majors in each regiment of artillery shall be reduced to three.*

SEC. 2. That the pay of said Captain Robertson as major shall commence from the date of his confirmation by the Senate on the nomination by the President.

*Approved June 17, 1874.*

II..AN ACT to correct the date of Commission of certain officers of the Army

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized to nominate and promote William Myers to be Major and Quartermaster, to date from the eighteenth day of January, eighteen hundred and sixty seven, to take place on the Army Register next below Major J. G. Chandler: Provided, That no officer in said Department shall by this act be reduced from his present rank, nor shall any additional pay or allowance be made to any officers by virtue of this act.*

*Approved June 20, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 68. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 25, 1874.

The following extracts of an Act of Congress are published for the information and government of all concerned :

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the fiscal year ending June thirtieth, eighteen hundred and seventy-five, for the objects hereinafter expressed, namely :

\* \* \* \* \*

#### PUBLIC BUILDINGS AND GROUNDS.

For clerk in the Office of Public Buildings and Grounds, one thousand four hundred dollars.

For messenger in the same office, eight hundred and forty dollars.

For the public gardener, one thousand four hundred and forty dollars.

For a landscape gardener, one thousand eight hundred dollars.

For the laborer in charge of the water-closets in the Capitol, seven hundred and twenty dollars.

For a foreman and laborers employed in the public grounds, nineteen thousand two hundred and ninety-six dollars.

For four laborers in the Capitol, two thousand eight hundred and eighty dollars.

For furnace-keeper, in charge of heating apparatus under the old hall of the House of Representatives, eight hundred and sixty-four dollars.

For the following employes at the Executive Mansion, namely: For furnace-keeper, eight hundred and sixty-four dollars; two policemen, two thousand six hundred and forty dollars; one night watchman, nine hundred dollars; one night usher, one thousand two hundred dollars; and two doorkeepers, at one thousand two hundred dollars each—in all, eight thousand and four dollars.

For two draw-keepers for Navy Yard and upper bridges, and for fuel, oil, and lamps, one thousand six hundred dollars.

For watchman in Franklin Square, seven hundred and twenty dollars.

For the person in charge of the heating apparatus of the Library of Congress, and other steam-heating apparatus in the central building, eight hundred and sixty-four dollars.

For four watchmen in reservation numbered two, (being the Smithsonian grounds,) two thousand eight hundred and eighty dollars.

For watchman in Lincoln Square, five hundred and forty dollars.

For watchman at Lafayette Square, seven hundred and twenty dollars.

For watchman in Washington Circle, five hundred and forty dollars.

For one bridge-keeper at Chain Bridge, seven hundred and twenty dollars.

For watchman for circle at intersection of Massachusetts and Vermont avenues, five hundred and forty dollars.

For contingent and incidental expenses, two thousand dollars.

\* \* \* \* \*

#### WAR DEPARTMENT.

For compensation of the Secretary of War, eight thousand dollars; one chief clerk, at an annual compensation of two thousand five hundred dollars; one disbursing clerk, at two thousand dollars; two chief clerks of divisions, at two thousand dollars; seven clerks of class four; six clerks of class three; six clerks of class two; fifteen clerks of class one; two messengers, at eight hundred and forty dollars each; nine laborers, at seven hundred and twenty dollars; seven watchmen for northwest building, (executive,) at seven hundred and twenty dollars each—in all, seventy thousand three hundred dollars.

For contingent expenses of his office, twelve thousand dollars.

For the purpose of examining the rebel archives and having copies furnished for the Government, six thousand six hundred dollars.

*In the Office of the Adjutant General.*—One chief clerk, at two thousand dollars; nine clerks of class four; fifteen clerks of class three; twenty-five clerks of class two; one hundred clerks of class one; three temporary clerks of class four; six temporary clerks of class three; twenty temporary clerks of class two; sixty temporary clerks of class one; ten messengers, at eight hundred and forty dollars—in all, three hundred and twenty thousand six hundred dollars.

For postage on official matter of the War Department and its Bureaus, one hundred and twenty thousand dollars.

For contingent expenses, eight thousand dollars.

*In the Office of the Inspector General.*—One clerk of class four; one messenger, at eight hundred and forty dollars; in all, two thousand six hundred and forty dollars.

*In the Office of the Quartermaster General.*—One chief clerk, at two thousand dollars; eight clerks of class four; ten clerks of class three; twenty-four clerks of class two; forty clerks of class one; eighteen copyists, at nine hundred dollars; one female messenger, at thirty dollars per month; one messenger, at eight hundred and forty dollars; eight laborers, at seven hundred and twenty dollars; one engineer, at twelve hundred dollars; one fireman, at seven hundred and twenty dollars; and five watchmen, at seven hundred and twenty dollars each; six temporary clerks of class two; ten temporary clerks of class one; ten temporary copyists, at nine hundred dollars—in all, one hundred and seventy-two thousand and eighty dollars.

For contingent expenses, seven thousand dollars.

*In the Office of the Paymaster General.*—One chief clerk, at two thousand dollars; seven clerks of class four; eight clerks of class three; fifteen clerks of class two; thirteen clerks of class one; one messenger, at eight hundred and forty dollars; four watchmen, at seven hundred and twenty dollars; five laborers, at seven hundred and twenty dollars; two temporary clerks of class two; three temporary clerks of class one—in all, seventy-seven thousand seven hundred and twenty dollars.

For contingent expenses, four thousand dollars.

*In the Office of the Commissary General.*—One chief clerk, at two thousand dollars; two clerks of class four; four clerks of class three; five clerks of class two; twelve clerks of class one; one messenger, at eight hundred and forty dollars; three laborers, at seven hundred and twenty dollars; two watchmen, at seven hundred and twenty dollars—in all, thirty-seven thousand eight hundred and forty dollars.

For contingent expenses, namely: office-rent, repairs, and miscellaneous items, seven thousand dollars.

*In the Office of the Surgeon General.*—One chief clerk, at two thousand dollars; six clerks of class four; four clerks of class three; eight clerks of class two; one hundred and fifteen clerks of class one, (twenty of whom shall be temporary;) one anatomist at the Army Medical Museum, at sixteen hundred dollars; one engineer, in division of records and



museum, at fourteen hundred dollars; one messenger, at eight hundred and forty dollars; twenty-two watchmen and laborers, (six temporary,) at seven hundred and twenty dollars each—in all, one hundred and eighty-eight thousand and eighty dollars.

For contingent expenses, blank books, stationery, binding, rent, fuel, and including rent of Surgeon General's Office and Army Medical Museum, seven thousand dollars.

*In the Office of the Chief Engineer.*—One chief clerk, at two thousand dollars; five clerks of class four; four clerks of class three; four clerks of class two; four clerks of class one; one messenger, at eight hundred and forty dollars; three laborers, at seven hundred and twenty dollars each—in all, thirty thousand and eighty dollars.

For contingent expenses, namely: for stationery, office furniture, miscellaneous and incidental expenses, including professional books, maps, and two daily Washington newspapers, three thousand dollars.

*In the Office of the Chief of Ordnance.*—One chief clerk, at two thousand dollars; three clerks of class four; three clerks of class three; three clerks of class two; eight clerks of class one; one messenger, at eight hundred and forty dollars; one laborer, at seven hundred and twenty dollars—in all, twenty-seven thousand five hundred and sixty dollars.

For contingent expenses, namely: stationery, envelopes, wrapping paper, for sending blanks to the arsenals, forts, permanent batteries, and troops in the field, telegrams, express charges, and incidentals of a similar nature, furniture, matting, carpets, oil-cloth, professional books for Ordnance Department library, pamphlets, and newspapers, two thousand dollars.

*In the Office of Military Justice.*—One chief clerk, at two thousand dollars; one clerk of class four; one clerk of class three; two clerks of class two; four clerks of class one; one messenger, at eight hundred and forty dollars—in all, thirteen thousand eight hundred and forty dollars.

For contingent expenses, five hundred dollars.

*In the Signal Office.*—Two clerks of class four; one messenger, at eight hundred and forty dollars—in all, four thousand four hundred and forty dollars.

That it is further made the duty of the Secretary of War, when the reduction of clerks now employed shall take effect under the provisions of this act, to retain, as far as possible, such of the enlisted men and discharged soldiers as are now employed in the several Bureaus of said Department where the same can be done with a due regard to the

dispatch of public business; and it is hereby made the duty of the Secretary of War to place such enlisted men so retained upon the civil list, so as to entitle them to promotion under the civil service regulations; and hereafter it shall be unlawful to allow or pay to any of the persons designated in this act any additional compensation from any source whatever, or to retain, detail, or employ in any branch of the War Department in the city of Washington any persons other than those herein authorized except in the Signal Office and the Engineer Corps, and except such commissioned officers as the Secretary of War may, from time to time, assign to special duties: *Provided*, That the Adjutant General is authorized to retain during the next fiscal year, and no longer, such portion of his force of employes now on duty in his office as may be actually necessary for the service thereof, but no new enlistments shall be made into the general service, and nothing in this act shall be so construed as to increase the aggregate force now employed in any office of the War Department; and it shall be the duty of the Secretary of War to reduce the number of temporary clerks and others authorized by this act as fast as the wants of the public service will permit.

#### WAR DEPARTMENT BUILDING.

For compensation of superintendent of the building occupied by the War Department (two hundred and fifty dollars) and for four watchmen and two laborers—in all, four thousand five hundred and seventy dollars.

For labor, fuel, lights, and miscellaneous items for the said building, eight thousand dollars.

For one engineer in charge of heating the War Department building, fourteen hundred dollars.

For superintendent of the building at the corner of Fifteenth and G streets, occupied as the Quartermaster General's Office, two hundred and fifty dollars.

For superintendent of the building at the corner of Seventeenth and F streets (two hundred and fifty dollars) and for four watchmen and two laborers—in all, four thousand five hundred and seventy dollars.

For superintendent of building on Tenth street, occupied as the Surgeon General's Office, two hundred and fifty dollars.

For fuel for warming the entire building, and for operating the ventilating-fan in summer, repairs of steam warming and ventilating apparatus, pay of engineer and firemen, matting and oil-cloth for halls, gas, whitewashing, and other incidental expenses, eight thousand dollars.

For superintendent of the building occupied by the Paymaster General (two hundred and fifty dollars) and for five watchmen and two laborers—in all, five thousand two hundred and ninety dollars.

For rent of building, and fuel and contingencies, twelve thousand five hundred dollars.

\* \* \* \* \*

That it shall be the duty of the heads of the several Executive Departments, and of the heads of the respective Bureaus therein, in the interests of the public service, to require of all clerks of class one and above, and of chiefs of divisions, such hours of labor as may be deemed necessary for the proper dispatch of the public business, not exceeding, however, the time for which said Departments are by law required to be open for business, any usage to the contrary notwithstanding.

\* \* \* \* \*

SEC. 3. That no civil officer of the Government shall hereafter receive any compensation or perquisites, directly or indirectly, from the Treasury or property of the United States beyond his salary or compensation allowed by law: *Provided*, That this shall not be construed to prevent the employment and payment by the Department of Justice of district attorneys as now allowed by law for the performance of services not covered by their salaries or fees.

\* \* \* \* \*

SEC. 5. That from and after the first day of July, eighteen hundred and seventy-four, and of each year thereafter, the Secretary of the Treasury shall cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury: *Provided*, That this provision shall not apply to permanent specific appropriations, appropriations for rivers and harbors, light-houses, fortifications, public buildings, or the pay of the navy and marine corps; but the appropriations named in this proviso shall continue available until otherwise ordered by Congress, and this provision shall not apply to any unexpended balance of the appropriation made by the act approved December twenty-first, eighteen hundred and seventy-one, for expenses that may be incurred under articles one to nine of the treaty with Great Britain concluded May eighth, eighteen hundred and seventy-one, which balance the act approved March third, eighteen hundred and seventy-three, authorized to be expended to enable the President to fulfill the stipulations contained in the twentieth, twenty-second, twenty-third, twenty-

fourth, and twenty-fifth articles of said treaty: *And provided further,* That this section shall not operate to prevent the fulfillment of contracts existing at the date of the passage of this act; and the Secretary of the Treasury shall, at the beginning of each session, report to Congress, with his annual estimates, any balances of appropriations for specific objects affected by this section that may need to be re-appropriated.

*Approved June 20, 1874.*

**BY ORDER OF THE SECRETARY OF WAR:**

**E. D. TOWNSEND,**  
*Adjutant General.*

**OFFICIAL:**

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 69. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 29, 1874.

Transportation in lieu of mileage for officers of the Army and their baggage, when traveling on duty under orders without troops, escorts, or supplies, and the traveling expenses of Paymasters' clerks, during the fiscal year commencing July 1, 1874, will, in accordance with the act of June 16, 1874, making appropriations for the support of the Army, be confined to "*actual traveling expenses*" usual and essential to the ordinary comfort of travelers, which will embrace the following items of expenditure only, viz: -

I..Fares upon railroads, steamboats, packets, or other usual modes of conveyance. Also, the hire of special transportation, either by land or water, when there are no regular means of conveyance, and when they cannot be obtained from the Quartermaster's Department. Charges for ferriage, tolls, and horse-keeping when transportation is hired.

II..Sleeping-car fare for one double berth for each person, or customary state-room accommodation on boats, steamers, &c, and lodging in hotels, *en route*.

When delays at hotels are incident to, and necessary for, the performance of the duties for which the travel is ordered, charges for hotel expenses will be allowed, not extending beyond seven days at any one place, and not exceeding four dollars per day.

No charge will be allowed for hotel bills when the detention is unnecessary for the execution of the orders under which the journey is performed.

Meals furnished on steamers or other means of conveyance, which are included in the charge for fare, will not, of course, be made an extra charge.

Whenever special expenditures are made for meals they will be allowed, but for no other items of refreshment than the ordinary food provided for travelers.

III..Street-car or omnibus or transfer-coach fare to and from depots and hotels, and, when there are no such conveyances, moderate and necessary hack-hire not exceeding the legal rates, and baggage fees to porters.

IV..Every officer or other person attached to the Army who is traveling under orders without troops will keep a memorandum of the expenditures herein allowed, noting each item upon its being made, and the

certificate or affidavit upon the voucher will set forth that the different charges in detail therein have been taken from and verified by his memorandum, and that they are correct and just. The memoranda will be retained by those who have been reimbursed, and will be exhibited if called for by proper authority.

Whenever it is practicable, officers and others entitled to traveling expenses under the provisions of this order will apply to officers of the Quartermaster's Department for transportation orders, and thus avoid difficulties that might arise with those land-grant railroads that under the law are forbidden to receive any fare from officers or others traveling on duty. Should circumstances render it impracticable to procure transportation orders from quartermasters, those traveling will pay their own fares, which will be reimbursed in the same manner as other expenditures; but this will not authorize any payments to the roads that are forbidden by the law to receive fares.

The fact that transportation has been furnished will be indorsed by the Quartermaster on the order authorizing the journey, indicating the portion of the route thus provided for.

The Pay Department will pay the accounts of officers, civilian witnesses on Courts Martial, Boards, &c., and the traveling expenses of Paymasters' clerks on the Officers' certificates, setting forth the correctness of the accounts as per attached memorandum, and containing the essential restrictions and obligations hereinbefore implied, to wit: that the journey was performed under orders, (copy annexed,) with all practicable dispatch, by the shortest usually traveled route, in the customary reasonable manner; that the amount charged for subsistence was actually paid, and that the number of days for which the same is charged was necessarily consumed in unavoidable delays incident to travel and in the performance of the duty ordered.

All vouchers for actual expenses of travel must be accompanied by the original order for the journey or by a copy thereof, (and all indorsements thereon,) certified by a commissioned officer other than the payor and the party to the order.

When unusual routes or expensive means of transportation are charged for, explanatory certificates, setting forth the necessity for the same, will accompany the accounts, and if approved by the chief of the Bureau and the accounting officers of the Treasury, will be allowed; but payments made on vouchers found not satisfactory will be refunded.

The transportation of the field allowance of baggage as prescribed by Army Regulations for officers changing stations will be allowed in the accounts for actual traveling expenses.

The remainder of the allowance of baggage for officers when changing stations should be turned over to the Quartermaster's Department for transportation by freight lines.

Officers and others traveling with troops, escorts, or supplies are entitled only to transportation provided by the Quartermaster's Department.

Officers and others traveling to and from attendance on civil courts will receive their compensation or reimbursements from the civil authorities.

The foregoing rules and allowances for transportation will be applicable to all civilian employés of the Army when traveling under orders from competent authority in the execution of their legitimate duties, and to civilian witnesses in the employ of the United States when subpoenaed to attend Courts Martial, Boards, &c., except when the civilian employé is in receipt of a ration from the United States; in which case, instead of the item for subsistence allowed herein he will be paid commutation of subsistence at the usual rates.

Citizens, not employés of the United States, witnesses before military courts, will continue to be paid as heretofore. Judge Advocates, in their certificates of attendance, will discriminate between citizen witnesses, specifying those who are, and those who are not, employés of the United States; and their accounts, authenticated by their affidavits, similar to the certificates prescribed for officers, and the certificate of an officer that the journey and services were performed on duty, will be paid by the same disbursing officers and from the appropriations as prescribed by existing regulations.

Other existing rules and regulations regarding the transportation and payment of officers and others which do not conflict with the requirements of this order will remain in force.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL.

*Assistant Adjutant General.*



1. The first part of the document is a list of references.

2. The second part of the document is a list of references.

GENERAL ORDERS }

NO. 70.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
Washington, June 30, 1874.

The following Acts of Congress are published for the information and government of all concerned:

I. . . AN ACT authorizing the Secretary of War to grant a right of way across a corner of the Fort Gratiot military reservation to the City Railroad Company, Port Huron, Michigan.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized, in his discretion, to grant a permit to the Port Huron City street railroad to lay and use a curved track over the northwest corner of the Fort Gratiot military reservation, in a curve having a radius of fifty-four feet, and encroaching upon the reservation about fifteen feet from the angle.

*Approved June 18, 1874.*

II. . . AN ACT for the relief of A. H. von Luettwitz, late lieutenant, Third United States Cavalry.

Whereas, A. H. von Luettwitz, late a first lieutenant in the Third United States Cavalry, who was cashiered from the United States service by sentence of a general court martial on the eighth day of July, eighteen hundred and seventy, having established his innocence of the charges upon which he was so cashiered the United States service: Therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and is hereby, directed to amend the record of the said A. H. von Luettwitz so that he shall appear on the rolls and records of the Army for rank as if he had been continuously in service: *Provided,* That nothing shall be paid to him for the interval of time from the eighth day of July, eighteen hundred and seventy, until the passage of this act.

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 71. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 30, 1874.*

The following General Orders No. 2, dated Headquarters Military Division of the Missouri, Chicago, Illinois, June 12, 1874, issued by Lieutenant General P. H. SHERIDAN, is approved by the Secretary of War:

From and after the 1st of July next, the military post situated near Beaver City, Utah Territory, and now called Post of Beaver, will, subject to the approval of the War Department, be known as Fort Cameron, in honor of Colonel JAMES CAMERON, who was killed in battle July 21, 1861, while leading his regiment—79th New York Volunteers.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 72. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 30, 1874.

The following Act of Congress is published for the information and government of all concerned:

AN ACT to protect lines of telegraph constructed or used by the United States from malicious injury and obstruction.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person or persons who shall willfully or maliciously injure or destroy any of the works or property or material of any telegraphic line constructed and owned or in process of construction by the United States, or that may be hereafter constructed and owned or occupied and controlled by the United States, or who shall willfully or maliciously interfere in any way with the working or use of any such telegraphic line, or who shall willfully or maliciously obstruct, hinder, or delay the transmission of any communication over any such telegraphic line, shall be deemed guilty of a misdemeanor, and, on conviction thereof in any district court of the United States having jurisdiction of the same, shall be punished by a fine of not less than one hundred nor more than one thousand dollars, or with imprisonment for a term not exceeding three years, or with both, in the discretion of the court.

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 73. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 2, 1874.

By direction of the President, Major *G. K. Warren*, Major *H. L. Abbott*, and Captain *W. H. H. Benyaurd*, Corps of Engineers U. S. Army, are hereby assigned, and *Jackson E. Sickles* and *Paul O. Hébert* appointed, to serve as a Board of Commissioners under the act approved June —, 1874, "to provide for the appointment of a Commission of Engineers to investigate and report a permanent plan for the reclamation of the alluvial basin of the Mississippi River subject to inundation."

Major *Warren* is designated as President of the Board.

Captain *Benyaurd* is designated as disbursing officer for the appropriation provided by section 3 of the act.

The Board will assemble at Newport, Rhode Island, on the 20th instant, or as soon thereafter as practicable, for the purpose of organizing and entering upon the performance of their duties.

The following is the act of Congress above referred to:

AN ACT to provide for the appointment of a commission of engineers to investigate and report a permanent plan for the reclamation of the alluvial basin of the Mississippi River subject to inundation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President be, and he is hereby, authorized and directed to assign three officers of the Corps of Engineers United States Army, and to appoint two civil engineers eminent in their profession and who are acquainted with the alluvial basin of the Mississippi River, to serve as a Board of Commissioners; the president of said board to be designated by the President of the United States. It shall be the duty of said commission to make a full report to the President of the best system for the permanent reclamation and redemption of said alluvial basin from inundation, which report the President shall transmit to Congress at its next session, with such recommendations as he shall think proper.

SEC. 2. That the members of the commission who may be appointed from civil life shall receive compensation at the rate of five thousand dollars per annum. The commission may employ a secretary at a rate of compensation not exceeding two hundred dollars per month for the time he is employed; and the necessary traveling-expenses of the members of the commission not officers of the Army, and of the secretary, shall be paid upon the approval of bills for the same by the Secretary of War.



SEC. 3. That the sum of twenty-five thousand dollars, or so m  
thereof as may be necessary to carry into effect the foregoing provisi  
is hereby appropriated, and shall be subject to disbursement by the  
etary of War in accordance with the provisions of this act.

*Approved June, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,

*Assistant Adjutant G*

OFFICIAL:

*Assistant Adjutant General.*

1874.

President of

**JAM T. SHER-**  
No. 35, Feb-  
from this office,  
O. O. Howard,  
to the Speaker  
1, 1873, and the 5th  
as well upon moral  
offenses, if any, as

ful and mature consid-  
ort as follows, under the  
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late December 4, 1873, and of  
documents, place under dis-  
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on of the letter of the Secretary  
best to consider in their order the  
letter of December 4, 1873.  
nt of facts by a somewhat detailed  
business in the Bureau of Refugees,  
as far as it refers to—

*Joint Resolution of March 29, 1867.*

1867, the accounting officers of the  
as to the numerous frauds being  
bounties under the then existing  
Howard into consultation concern-  
ough the agency of the Freedmen's

that the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to defray the cost of said survey.

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 75.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 3, 1874.

The following order is promulgated by direction of the President of the United States :

L...The Special Court of Inquiry, of which General WILLIAM T. SHERMAN, U. S. Army, is President, instituted by Special Orders No. 35, February 16, 1874, and Special Orders No. 51, March 9, 1874, from this office, "to fully investigate all charges against Brigadier General O. O. Howard, contained in the communications of the Secretary of War to the Speaker of the House of Representatives, of dates December 4, 1873, and the 5th day of January, 1874, and to report their Opinion as well upon moral as upon technical and legal responsibility for such offenses, if any, as may be discovered," has reported as follows :

The SPECIAL COURT OF INQUIRY, after a careful and mature consideration of the evidence adduced before it, report as follows, under the requirements of the letter of the President of April 22, 1874, and of the Joint resolution of February 13, 1874 :

*Facts.*

The letters of the Secretary of War of date December 4, 1873, and of January 5, 1874, with the accompanying documents, place under distinct heads the specific matters which this Court was required to examine, but before proceeding to the consideration of the letter of the Secretary of War of January 5, 1874, it seemed best to consider in their order the eight specific statements set forth in the letter of December 4, 1873.

It is proper to preface the statement of facts by a somewhat detailed narrative of the manner of doing business in the Bureau of Refugees, Freedmen and Abandoned Lands, as far as it refers to—

*Payment of Bounties under the Joint Resolution of March 29, 1867.*

It appears that in the early part of 1867, the accounting officers of the Treasury Department became uneasy as to the numerous frauds being perpetrated on colored claimants for bounties under the then existing acts of Congress, and called General Howard into consultation concerning the payment of these bounties through the agency of the Freedmen's Bureau.

After advising with General Howard, these officers of the Treasury Department drew up a bill to effect this object, and submitted it to Congress, and upon their recommendation the joint resolution of March 29, 1867, somewhat different from the bill suggested by them, was passed by Congress. This law devolved upon the Commissioner of the Bureau of Refugees, Freedmen and Abandoned Lands the payment of bounties to colored soldiers, sailors, and marines. It in terms made General Howard, as Commissioner, responsible for the "safe-keeping and disbursements" of funds appropriated for this purpose, but provided in the second section that he should be assisted in these payments by the officers and agents of his Bureau. He accordingly set to work to pay claimants, through the officers and agent of the Bureau, in accordance with this provision, in the following manner:

General George W. Balloch, the chief disbursing officer of the Bureau, was the principal agent for these payments, and was so recognized and treated, both by the War and Treasury Departments. A Treasury certificate for the amount due each legal claimant was made out in the name of such claimant and sent by the Second Auditor of the Treasury to General Howard, who placed these certificates in the hands of General Balloch, who drew the money upon them from the paymaster. Vouchers, duly prepared for the signature of the claimants, were then sent to the agents of the Bureau in different parts of the country, with a list of the claimants for whom the vouchers were prepared. The agents hunted up the claimants and identified them through their descriptive lists, by personal examination, and in any other sufficient manner; procured their signatures to the vouchers for the amount due each, and returned the vouchers to General Balloch, who, upon their receipt, transmitted lists of those from whom signed vouchers had been received, with a check for the gross amount, to the agent by whom the signed vouchers had been sent back. It then became the duty of the agents again to look up the claimants and put into the hands of each, *in currency*, the amount due him. As soon as his check left his hands, General Balloch filed in the Treasury, to his credit, the vouchers covered by it. This was the general rule, though in isolated cases, remote from the station of any agent, the money, in rare instances, was sent to some officer of the Army, or some one known to General Balloch, to be handed to the claimant. In some cases the money was paid in this manner through revenue officers, cashiers of freedmen banks, or through postmasters, but only, as appears, when there was no agent in the vicinity.

In every case, except the isolated cases above mentioned, involving

small payments to one or two persons, and where Regular Army officers were employed, the agents were bonded officers, their bonds covering any liabilities they would have power to incur.

By this mode of conducting business it resulted that vouchers were filed in the Treasury, and credit taken therefor, before the money actually reached the claimant, and in some cases, not numerous when compared with the great number of claimants paid, it happened that a claimant could not be found and his money was returned to General Balloch, while, at the same time, his receipt for the money was already in the Treasury and credited to General Balloch. Some cases of this kind were unavoidable. In this manner payments of bounties to colored soldiers, sailors, and marines were made from 1867 to 1872, and it is the concurrent testimony of the Treasury officials that frauds and complaints of nonpayments very greatly decreased, and that the system was far better and more efficient than any pursued before, and still pursued in the same kind of payments to white soldiers. In proportion to numbers, notwithstanding the much greater difficulty of identification of colored claimants, the losses which fell upon claimants, by frauds or otherwise, in the payments to colored soldiers by the Bureau, and to white soldiers through the Pay Department, where in favor of the former.

It is now proper to take up, in order, the charges under the eight headings in the letter of December 4, 1873.

*Heading 1.* "Claimed by colored claimants, who allege that they have not been paid their pay and bounty, although the records of the Treasury Department show settlement of their claims, and vouchers have been filed by the late Bureau as evidence of payment of \$33,888.39."

This Court did not consider it necessary to summon before it the one hundred and seventy-four claimants referred to, to ascertain whether or not they had actually received the amounts claimed to be due them, since even if their allegations could be fully established it would not necessarily follow that fraud or wrong-doing had been committed. If it could be shown that the amounts thus due had actually been sent to make these payments and had thus passed from the possession of General Howard and his chief disbursing officer, and such portion, if any, as had been returned, because the claimants for it could not be found, had been then accounted for properly, the responsibility of General Howard or his chief disbursing officer would be discharged.

To this investigation, therefore, the Court proceeded, with the following results:

Of these one hundred and seventy-four claimants who allege that they have not been paid, eighty were said to have been paid through the agents in Kentucky. Major B. P. Runkle, of the Army, was the principal payor, without giving bonds, as other officers of the Army on the same duty are now.

An investigation made by General Howard and by a board of officers instituted by him first exposed wrong-doing in this connection, and on the Commissioner's recommendation Runkle was tried by a general court-martial, and on conviction was cashiered, heavily fined, and sentenced to imprisonment. The fine and imprisonment were afterward remitted by the President.

There seem to be only seven of the one hundred and seventy-four claimants who were paid by General Howard himself. He has established in all of these cases that the money was sent for their payment in the usual manner heretofore explained, and such as has been received back, because of the impracticability of finding claimants, has been duly accounted for. In all the other cases the same fact is found, except in a few which can be readily explained. There is no evidence of anything improper in this transaction, and the Treasury officials testify that all these cases can be settled in the usual manner by them, and were actually in process of settlement at the time when this Court met.

*Heading 2. "Defalcation of St. Clair Mandeville, \$8,563.29."*

Mandeville was appointed agent of the Freedmen's Bureau in 1867, on the recommendation of General Joseph A. Mower, commanding the Fifth Military District. This recommendation was couched in very strong language, and bore the highest testimony to the character and fitness of Mandeville. He gave bonds for \$10,000 to "General Howard, Commissioner of the Freedmen's Bureau, and his successors in office."

On the 1st of November, 1869, Mandeville died suddenly of cholera, following an attack of yellow fever. His clerk died two days before, of yellow fever. General Mower immediately took charge of his office. There was found in his safe about \$9,000. This was supposed to be public money, and was taken charge of as such by officers detailed by General Mower, together with all his papers. Shortly afterward Mr. Sauviuet was appointed agent in Mandeville's place, and was directed to make a full examination of the books and records. He did so, and gave as his opinion, from such examination of books, that a number of claimants, whose claims amounted to \$17,000, had not been paid, although the books indicated that they had. There seems to be no evidence whatever that these persons were not paid, and it appears that only ten or

twelve ever stated that they had not been. (Beeman, p. 150.) Nevertheless, the \$9,000 found in Mandeville's safe were used in making payments, but, so far as can be ascertained, not to those who, according to Mr. Sauvinet, had not been paid.

The widow of Mandeville maintains that the money found in the safe was Mandeville's own property. Suit was brought by order of General Howard, and subsequently assumed by the Department of Justice, against the sureties on his bond, and is now in process of trial. It is not by any means established that Mandeville was a defaulter, or that any money was lost to the Government or the claimants by his acts; but the issue of the suit against his sureties will determine the question, and make good to the United States the alleged defalcation if it should be found to have occurred. Ten of the cases, covering about \$2,000, used in making up the amount of Mandeville's alleged defalcation, are also embraced in the list of the one hundred and seventy-four cases above referred to, so that the sum of \$2,000 has thus been twice used in making up the amount for which General Howard is held responsible.

*Heading 3. "Defalcation of O. C. French reduced to \$3,814.54."*

French was appointed agent of the Freedmen's Bureau at Natchez, Miss., on the recommendation of General A. C. Gillem, commanding Fourth Military District. Part of the money for which he has failed to account has been paid by one of the sureties on his bond and by himself. Judgment has been obtained against French and his other sureties, with little question that the whole amount will be recovered.

*Heading 4. "Defalcation of Maj. B. P. Runkle, \$673.24."*

Runkle was an officer of the Army, regularly detailed by the Secretary of War as agent of the Freedmen's Bureau.

He was guilty of wrong-doing in the performance of his duty; was so reported by General Howard; was arraigned and tried therefor, and dismissed from the service. His pay was stopped some time before to make good his accountability to the Treasury for this special sum, \$673.24, and if any money has been lost through him it is not due to the negligence or want of action of "General Howard."

*Heading 5. "Acknowledged by 'George W. Balloch' to have been paid to 'Runkle' to reimburse the latter for mistakes, &c., \$1,331.03."*

It is shown by the testimony of "General Balloch," and nowhere contradicted, that he lent this sum out of his own private means to "Runkle" to pay up what had been erroneously paid by "Runkle," and that this sum is a personal debt owed to him by "Runkle," and in no sense an amount due or charged to the United States.



*Heading 6. "Due by late Bureau for illegal double payments and certain accrued interest, several thousand dollars."*

This charge is very vaguely stated. "General Balloch," in his letters to "General Howard," dated December 27, 1871, and January 3, 1874, submits accounts for certain interest arising on the investment of sums of \$334,875 and of \$279,875 in United States bonds, in which appear the items of \$1,338.56 and \$1,496.25 for reimbursement for double payment of bounties—that is, to pay to the rightful claimant money which had been paid erroneously but in good faith to wrong parties. These items are admitted by "Balloch" himself. Their legality or propriety may be a matter of question. According to the testimony of the Second Auditor of the Treasury, a payment made in good faith, although made to wrong parties through deception practiced on the disbursing officer, would, as has hitherto been the case, have been passed to the credit of the disbursing officer on satisfactory proof that such deception had been practiced, and that the payor had not been careless or negligent in taking the proper precautions.

These second payments by "General Balloch" could have been lawfully made from the regular bounty-fund. The first payment being made to wrong parties did not discharge the obligation to pay the right claimants, and for credit for the wrong payment General Balloch should have looked to the practice stated by the Second Auditor.

It could now, however, be easily settled by the Treasury Department in accordance with the practice testified to by the Second Auditor, and stated heretofore in this connection.

*Heading 7. "Irregular bounty-fund, \$121,000."*

The history of this irregular bounty-fund is as follows: During the war some of the States sent money to officers serving in the South to buy substitutes to fill up their quota under the draft from among the colored people. A portion of the money thus sent was retained in the hands of officers who had been superintendents of negro affairs by an order, "No. 90," made by "General B. F. Butler," commanding Department of "Virginia and North Carolina," dated August 4, 1864, and was, by the President's order of June 2, 1865, turned over to the disbursing officers of the Bureau of Refugees, Freedmen and Abandoned Lands. Shortly after the organization of the Bureau of Refugees, Freedmen and Abandoned Lands, in 1865, when these two officers became agents of the Bureau, "General Howard," ascertaining that the money thus held by "General Butler's" order was still in their hands, instructed them to turn it over to "General George W. Balloch," chief disbursing officer of the Bureau.

The two officers were "Col. Orlando Brown," assistant commissioner for the State of Virginia, and "Capt. Horace James," assistant quartermaster of volunteers. The first turned over to him \$84,334.81; the latter, \$21,584.17; total, \$104,918.98. "Captain James" was authorized to expend \$7,491.43 of the \$29,075.60 originally in his hands for the purpose mentioned in "paragraph 2," Order "No. 90," above referred to. Both of these officers sent with the money a list of persons to whom it was due. The amount due on "Brown's" list was \$83,320.84; on James's list, \$29,075.60; total, \$112,396.44. Total amount of money received by "Balloch" from these officers, \$105,918.98, being a deficit in amount needed to pay, according to the lists, of \$6,477.46. This deficit was made up by "Balloch" from interest on the United States bonds, in which all but a very small fraction of the amount turned over by "Brown" had been invested, viz, \$84,300. "On March 2, 1867," an act of Congress was passed (see act) constituting the Commissioner of the Freedmen's Bureau the trustee of this fund, and authorizing him to invest it for the sole benefit of the soldiers themselves or their rightful heirs, &c., in United States bonds. The only provision of that law, or any other on the subject prescribing the accountability for the expenditure of this fund, directed that on the discontinuance of the Bureau of Refugees, Freedmen and Abandoned Lands, the Commissioner should account for the balance left in his hands to the Treasury of the United States. "General Balloch," into whose hands, as chief disbursing officer of the Bureau, this money came, believed that he must render an account of it to the Treasury precisely in the same manner that all other money in his hands was accounted for, and, accordingly, did render accounts—abstracts and vouchers with his other accounts—for disbursements from January 1, 1866, to May, 1868, to the Third Auditor. He was informed positively by the Third Auditor that this "irregular fund" was in no sense public money, nor classed under any head known to the Treasury Department, and could not be audited by that officer. The accounts were then transferred to the Second Auditor's Office, when the same decision was rendered, and confirmed by the Second Comptroller. (See evidence of "Balloch," "Vinson," "Rutherford," and "French.") The Second Auditor declined to audit the accounts for the same reason given by the Third Auditor. It seems, however, from the evidence of Mr. Vinson, clerk Third Auditor's Office, that he did examine the accounts and vouchers rendered to his office on this fund, covering a period of more than two years, and that they were regular accounts, sustained by proper vouchers, and in all respects such accounts as would have been allowed if the office had had authority to pass upon them. Finally, in 1870, (May 25,) these

crepancies between the amounts reported by General Balloch and the amounts actually in the Treasury of the United States in Washington, D. C., at the time stated. The Second Comptroller testified that such discrepancies were the general fact in such statements, and that seldom, if ever, were or could be the statements of balances made monthly by disbursing officers without some such discrepancies. In the cases in question, he selected at random four of the statements on page 2, part 2, Exhibit B, (letter of Secretary of War of January 5, 1874,) and after giving them an examination, with the aid of General Balloch's clerk, (Terry,) he found that they were satisfactorily explained. Nothing is shown by the testimony to discredit this statement or its applicability to all the tabular statements embraced in this letter, or to indicate any misuse of public money, fraud, or purpose of fraud.

*Investment of Public Money in United States Bonds.*

The first of these investments was that of the large portion of the "irregular bounty-fund," which seems to have first come into the hands of General Balloch in United States bonds, but which investment was sanctioned afterward by the act of March 2, 1867. The second investment was of \$334,875 of the "regular bounty-fund" in United States bonds, known as currency-sixes. It appears in the testimony of the Second Comptroller that, before investing this amount in bonds, General Howard called on him and informed him that large amounts of money for paying bounties under the act of March 29, 1867, were accumulating in his hand, and asked if the Comptroller judged that he was authorized to invest the money in United States bonds pending the payments to the rightful parties. The Second Comptroller rendered the opinion that General Howard had the right so to invest this bounty-money, and that there was no law to prohibit it. His reasons are given in full, in his testimony on the 37th day of the session of this Court, and are still held by him. On this authority General Howard made the investment of \$334,875, and a subsequent investment of \$279,375, as set forth in the letter of the Secretary of War. The amount of interest collected on the investment, \$279,375, was \$9,063 22, which was accounted for by General "Balloch" in account-current signed by him, and approved by General Howard on the 27th of December, 1871, heretofore explained. General Balloch, in a letter dated January 3, 1874, makes a statement of the amount received from the interest accruing on the investment of \$334,875 = \$19,446.57— and an account of the expenditure of that sum contains an item of \$1,338.50 for reimbursements on account of double payment. This item has already been dealt with in the earlier part of this statement of facts.

The second item in this account, however, remains unexplained to the satisfaction of the Court. It amounts to \$16,652.25, and purports to have been paid for "school-houses and asylums." It appears, however, that it is a duplicate or a triplicate of a voucher on which credit was allowed in March, 1871, and has, therefore, been thrown out by the accounting officers of the Treasury, who hold Balloch responsible for the amount. He is now endeavoring to settle it. There is a controversy as to how and when this voucher was discovered to be a duplicate of one already filed in the Treasury and allowed; whether first by officials of the War Department or by "General Howard." It is clear that (however that question may be decided) "General Howard" did cancel his approval, and did report the facts to the War Department, and to the Third Auditor, as soon as he discovered it. The amount remains unaccounted for.

It is to be remarked, however, that this matter forms no part of the charges contained in the letters of the "Secretary of War" and accompanying documents which this Court was required to investigate.

#### OPINION OF THE COURT.

*First.*—The Court is of opinion that, in the matters referred to it for investigation, General O. O. Howard has not, with knowledge and intent, violated any law of Congress, regulation of the Army, or rule of morals, and that he is "not guilty," upon legal, technical, or moral responsibility in any of the offenses charged.

*Second.*—The Court finds that General Howard, when charged by his superiors with a great work arising out of the war, devoted his whole time and all his faculties and energies to the execution of that work. In this he employed hundreds of assistants and dealt with hundreds of thousands of men. In regard to the expenditure of money, it appears that his accounts are closed and settled to the satisfaction of the accounting officers of the Treasury, whose decisions in such matters are by law the highest authority, "final and conclusive upon the Executive branch of the Government, and subject to revision only by Congress or the proper courts."

*Third.*—In relation to the investment of certain public moneys in United States bonds, while the Court does not hold that such investments were justified by existing laws, yet in view of the fact that these investments were made only under the opinion and advice of the Second Comptroller, the Court attaches no blame to General Howard therefor. The investment of portions of a similar fund, viz: the "irregular bounty-fund," had previously been authorized by express law.

*Fourth.*—Some questions arising out of the sudden termination of the operations and organization of the Freedman's Bureau yet remain to be settled with those who were formerly subordinates and assistants to the Commissioners. Some few erroneous payments made by honest subordinates, and some others made, or not made, by officers now dead or cashiered for fraud, remain to be adjusted. The adjustment of these matters belongs properly to the successors of General Howard in the Bureau; and in these matters, as in all others brought to the notice of the Court during thirty-seven days of careful and laborious investigation, the Court finds that General Oliver O. Howard did his whole duty, and believes that he deserves well of his country.

II..The foregoing Report and Opinion having been submitted, with the proceedings, to the President, the following are the orders thereon :

The finding of the Court of Inquiry is approved.

U. S. GRANT.

July 2, 1874.

III..The Court of Inquiry of which General WILLIAM T. SHERMAN is President is hereby dissolved.

BY ORDER OF THE SECRETARY OF WAR :

THOMAS M. VINCENT,

*Assistant Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*

(GENERAL ORDERS } WAR DEPARTMENT,  
No. 76. } ADJUTANT GENERAL'S OFFICE,  
Washington, July 3, 1874.

By direction of the President, Brigadier General *O. O. Howard* is assigned to the command of the Department of the Columbia, and will proceed to the Headquarters, Portland, Oregon, with as little delay as practicable.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 77.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 6, 1874.

The following promotions and appointments in the Army of the United States, made by the President, by and with the advice and consent of the Senate, and by the President alone, since the publication of General Orders No. 27, of April 1, 1874, and up to July 1, 1874, are announced :

[*Those made by the President alone are designated by a (\*) star.*]

## I. PROMOTIONS.

### SUBSISTENCE DEPARTMENT.

\*Lieutenant Colonel Marcus D. L. Simpson, Assistant Commissary General of Subsistence, to be Assistant Commissary General of Subsistence, with the rank of Colonel, May 1, 1874, *vice* Shiras, appointed Commissary General of Subsistence.

\*Major William W. Burns, Commissary of Subsistence, to be Assistant Commissary General of Subsistence, with the rank of Lieutenant Colonel, May 1, 1874, *vice* Simpson, promoted.

\*Captain John P. Hawkins, Commissary of Subsistence, to be Commissary of Subsistence, with the rank of Major, May 1, 1874, *vice* Burns, promoted.

\*Captain Michael P. Emall, Commissary of Subsistence, to be Commissary of Subsistence, with the rank of Major, June 23, 1874, *vice* Beckwith, appointed Lieutenant Colonel, Assistant Commissary General of Subsistence.

### SECOND REGIMENT OF ARTILLERY.

First Lieutenant Joseph C. Breckinridge, to be Captain, June 17, 1874, *vice* Robertson, appointed Major, under the act of Congress approved June 17, 1874. (Company "B.")

Second Lieutenant Medorem Crawford, jr., to be First Lieutenant, June 17, 1874, *vice* Breckinridge, promoted. (Company "L.")



## FOURTH REGIMENT OF ARTILLERY.

Second Lieutenant John A. Lundeen, to be First Lieutenant, March 7, 1874, *vice* Greer, resigned. (Company "M.")

## FIRST REGIMENT OF INFANTRY.

Second Lieutenant Robert G. Armstrong, to be First Lieutenant, May 29, 1874, *vice* Tyler, retired from active service. (Company "G.")

## SECOND REGIMENT OF INFANTRY.

Lieutenant Colonel Charles R. Woods, of the Fifth Infantry, to be Colonel, February 18, 1874, *vice* Wallen, retired from active service.

## FIFTH REGIMENT OF INFANTRY.

Major Joseph N. G. Whistler, of the Twenty-second Infantry, to be Lieutenant Colonel, February 18, 1874, *vice* Woods, promoted to the Second Infantry.

## SIXTH REGIMENT OF INFANTRY.

Captain Orlando H. Moore, to be Major, June 8, 1874, *vice* Roy, promoted to the Fifteenth Infantry.

First Lieutenant Stephen Baker, to be Captain, June 8, 1874, *vice* Moore, promoted. (Company "B.")

Second Lieutenant Nelson Bronson, to be First Lieutenant, June 8, 1874, *vice* Baker, promoted. (Company "G.")

## SEVENTH REGIMENT OF INFANTRY.

Captain Guido Ilges, of the Fourteenth Infantry, to be Major, December 10, 1873, *vice* Lewis, promoted to the Nineteenth Infantry.

## EIGHTH REGIMENT OF INFANTRY.

Lieutenant Colonel August V. Kantz, of the Fifteenth Infantry, to be Colonel, June 8, 1874, *vice* Bomford, retired from active service.

## THIRTEENTH REGIMENT OF INFANTRY.

First Lieutenant Gustavus M. Bascom, regimental Quartermaster, to be Captain, December 11, 1873, *vice* Osborne, promoted to the Fifteenth Infantry. (Company "B.")

First Lieutenant Benjamin H. Rogers, to be Captain, February 18, 1874, *vice* Hough, promoted to the Twenty-second Infantry. (Company "C.")

Second Lieutenant Rogers Birnie, jr., to be First Lieutenant, February 18, 1874, *vice* Rogers, promoted. (Company "G.")

Second Lieutenant Stanhope E. Blunt, to be First Lieutenant, March 27, 1874, *vice* Birnie, appointed regimental Quartermaster. (Company "G.")

#### FOURTEENTH REGIMENT OF INFANTRY.

First Lieutenant James Kennington, to be Captain, December 10, 1873, *vice* Ilges, promoted to the Seventh Infantry. (Company "B.")

Second Lieutenant James A. Buchanan, to be First Lieutenant, December 10, 1873, *vice* Kennington, promoted. (Company "C.")

Second Lieutenant William W. McCammon, to be First Lieutenant, December 10, 1873, he being the regimental Adjutant.

Second Lieutenant Thomas B. Briggs, to be First Lieutenant, February 9, 1874, *vice* Robinson, deceased. (Company "A.")

#### FIFTEENTH REGIMENT OF INFANTRY.

Major James P. Roy, of the Sixth Infantry, to be Lieutenant Colonel, June 8, 1874, *vice* Kautz, promoted to the Eighth Infantry.

Captain Nathan W. Osborne, of the Thirteenth Infantry, to be Major, December 11, 1873, *vice* Mason, promoted to the Fourth Infantry.

First Lieutenant John P. Willard, regimental Quartermaster, to be Captain, March 31, 1874, *vice* Coleman, resigned. (Company "K.")

#### EIGHTEENTH REGIMENT OF INFANTRY.

First Lieutenant Joseph K. Hyer, to be Captain, May 4, 1874, *vice* Christopher, deceased. (Company "C.")

Second Lieutenant Charles B. Hinton, to be First Lieutenant, May 4, 1874, *vice* Hyer, promoted. (Company "I.")

#### TWENTY-FIRST REGIMENT OF INFANTRY.

First Lieutenant Stephen P. Jocelyn, to be Captain, May 19, 1874, *vice* Silva, resigned. (Company "B.")

First Lieutenant John L. Johnston, regimental Quartermaster, to be Captain, May 29, 1874, *vice* Nelson, retired from active service. (Company "F.")

Second Lieutenant Henry H. Pierce, to be First Lieutenant, May 19, 1874, *vice* Jocelyn, promoted. (Company "E.")

#### TWENTY-SECOND REGIMENT OF INFANTRY.

Captain Alfred L. Hough, of the Thirteenth Infantry, to be Major, February 18, 1874, *vice* Whistler, promoted to the Fifth Infantry.

## II..APPOINTMENTS.

### INSPECTOR GENERAL'S DEPARTMENT.

Major Absalom Baird, Assistant Inspector General, to be Assistant Inspector General, with the rank of Lieutenant Colonel, to date from June 13, 1867, in accordance with the act of Congress approved June 16, 1874.

### QUARTERMASTER'S DEPARTMENT.

Major William Myers, Quartermaster, to be Quartermaster, with the rank of Major, to date from January 18, 1867, to take place on the Army Register next below Major John G. Chandler, Quartermaster, in accordance with the act of Congress approved June 20, 1874.

### SUBSISTENCE DEPARTMENT.

\*Colonel Alexander E. Shiras, Assistant Commissary General of Subsistence, to be Commissary General of Subsistence, with the rank of Brigadier General, May 1, 1874, *vice* Eaton, retired from active service.

\*Major Amos Beckwith, Commissary of Subsistence, to be Assistant Commissary General of Subsistence, with the rank of Lieutenant Colonel, June 23, 1874, to fill an original vacancy under the act of Congress approved June 23, 1874.

\*First Lieutenant Charles P. Egan, Twelfth Infantry, to be Commissary of Subsistence, with the rank of Captain, June 23, 1874, *vice* Small, promoted Major.

### MEDICAL DEPARTMENT.

Lieutenant Colonel Jedediah H. Baxter, Chief Medical Purveyor, to be Chief Medical Purveyor, with the rank of Colonel, June 23, 1874, to fill an original vacancy under the act of Congress approved June 23, 1874.

### ORDNANCE DEPARTMENT.

Major Stephen V. Benét, to be Chief of Ordnance, with the rank of Brigadier General, June 23, 1874, *vice* Dyer, deceased.

### SECOND REGIMENT OF ARTILLERY.

Captain James M. Robertson, to be Major, June 17, 1874, under the Act of Congress approved June 17, 1874.

## RE-APPOINTED.

## NINTH REGIMENT OF CAVALRY.

Charles Parker, late Captain Ninth Cavalry, to be Captain, April 29, 1874, with his former rank, from January 16, 1870, *vice* Humfreville dismissed. (Company "K.")

## III...RETIRED.

*For incapacity resulting from long and faithful service; from wounds or injury received; from disease contracted, or from exposure in the line of duty, in conformity with sections 16 and 17 of the Act of August 3, 1861.*

Captain William Nelson, Twenty-first Infantry, May 29, 1874.

First Lieutenant John Tyler, First Infantry, May 29, 1874.

*By direction of the President, in conformity with section 12 of the Act of July 17, 1862.*

Brigadier General Amos B. Eaton, Commissary General of Subsistence, May 1, 1874.

Colonel James V. Bomford, Eighth Infantry, June 8, 1874.

## IV...CASUALTIES.

## RESIGNED. (2.)

Major James T. Ghiselin, Surgeon, June 6, 1874.

Captain Valentine M. C. Silva, Twenty-first Infantry, May 19, 1874.

## COMMISSIONS VACATED BY NEW APPOINTMENTS. (7)

By Brigadier General Alexander E. Shiras, Commissary General of Subsistence, his commission as Assistant Commissary General of Subsistence, with the rank of Colonel, May 1, 1874.

By Brigadier General Stephen V. Benét, Chief of Ordnance, his commission as Major of Ordnance, June 23, 1874.

By Colonel Jedediah H. Baxter, Chief Medical Purveyor, his commission as Chief Medical Purveyor, with the rank of Lieutenant Colonel, June 23, 1874.

By Lieutenant Colonel Absalom Baird, Assistant Inspector General, his commission as Assistant Inspector General, with the rank of Major, June 20, 1874.

By Lieutenant Colonel Amos Beckwith, Assistant Commissary General of Subsistence, his commission as Commissary of Subsistence, with the rank of Major, June 23, 1874.

By Major William Myers, Quartermaster, his commission as Quartermaster, with the rank of Major, from June 6, 1872—June 22, 1874.

By Major James M. Robertson, Second Artillery, his commission as Captain Second Artillery, June 17, 1874.

#### DIED. (5.)

Major General George L. Hartsuff, U. S. Army, retired, at New York City, May 16, 1874.

Brigadier General Alexander B. Dyer, Chief of Ordnance, at Washington, D. C., May 20, 1874.

Major Levi H. Holden, U. S. Army, retired, at Vineland, N. J., May 12, 1874.

Captain John Christopher, Eighteenth Infantry, at Yorkville, S. C., May 4, 1874.

First Lieutenant Thomas S. Doebler, U. S. Army, retired, at Williamsport, Pa., May 12, 1874.

#### DISMISSED. (2.)

Captain J. Lee Humfreville, Ninth Cavalry, April 3, 1874.

Second Lieutenant Frank A. Page, U. S. Army, retired, May 27, 1874.

V..Officers have been arranged in the foregoing order to the companies to which they have succeeded in the natural course of promotion or appointment, or to which they have been assigned by competent authority.

VI..Acceptance or non-acceptance of appointments, and, in case of acceptance, the *birth-place* of the officer appointed, his *age* and *residence* when appointed, and his *full name*, correctly written, will, in all cases, be promptly reported to the Adjutant General.

VII..In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once, *direct to this office*, stating the *cause*, *date*, and *place*.

When an officer, away from his command, dies in hospital, or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army medical officer, the report will be made by any officer having cognizance of the fact.

## MEMORANDUM.

John Rziha, a Captain in the Fourth Regiment of Infantry, will hereafter be known and recognized in the Army of the United States as John Laube de Laubenfels, his name having been so changed by Act of Congress approved April 22, 1874. [G. O. 34, series 1874.]

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 75. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.

Washington, July 6, 1874.

The following Act of Congress is published for the information and government of all concerned :

AN ACT reorganizing the several staff corps of the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Inspector General's Department shall consist of one colonel, two lieutenant colonels, and two majors, with the rank, pay, and emoluments of officers of said grades; and the Secretary of War may, in addition, detail officers of the line, not to exceed four, to act as assistant inspectors general: *Provided,* That officers of the line detailed as acting inspectors general shall have all the allowances of cavalry officers of their respective grades; and no new appointment shall be made in the Inspector General's Department until the number of inspectors general is reduced to five.

SEC. 2. That the Bureau of Military Justice shall hereafter consist of one Judge Advocate General, with the rank, pay, and emoluments of a brigadier general; and the said Judge Advocate General shall receive, revise, and have recorded the proceedings of all courts martial, courts of inquiry, and military commissions, and shall perform such other duties as have been heretofore performed by the Judge Advocate General of the Army. In the corps of judge advocates no appointment shall be made as vacancies occur until the number shall be reduced to four, which shall thereafter be the permanent number of the officers of that corps.

SEC. 3. That hereafter there shall be three assistant commissaries general of subsistence, with the rank, pay, and emoluments of lieutenant colonel, instead of the two now allowed by law of said grade in the Subsistence Department; that the number of commissaries of subsistence, with the rank, pay, and emoluments of a captain of cavalry, is hereby reduced to twelve, and no appointment to fill a vacancy in said grade shall be made until the number thereof shall be reduced to twelve, and the number thereafter shall remain fixed at twelve.

SEC. 4. That the Medical Department of the Army shall hereafter consist of one Surgeon General, with the rank, pay, and emoluments of a brigadier general; one assistant surgeon general, and one chief medical purveyor, each with the rank, pay, and emoluments of a colonel; and two assistant medical purveyors, with the rank, pay, and emoluments of



lieutenant colonels, who shall give the same bonds which are or may be required of assistant paymasters general of like grade, and shall, when not acting as purveyors, be assignable to duty as surgeons by the President; fifty surgeons, with the rank, pay, and emoluments of majors; one hundred and fifty assistant surgeons, with the rank, pay, and emoluments of lieutenants of cavalry for the first five years' service, and with the rank, pay, and emoluments of captains of cavalry after five years' service; and four medical store-keepers, with the same compensation as is now provided by law; and all the original vacancies in the grade of assistant surgeon shall be filled by selection by competitive examination; and the Secretary of War is hereby authorized to appoint, from the enlisted men of the Army, or cause to be enlisted, as many hospital stewards as the service may require, to be permanently attached to the Medical Department under such regulations as the Secretary of War may prescribe. And the number of contract surgeons shall be limited to seventy-five on or before the first day of January, in the year eighteen hundred and seventy-five; and thereafter no more than that number shall be employed.

SEC. 5. That the Ordnance Department shall consist of one Chief of Ordnance, with the rank, pay, and emoluments of a brigadier general; three colonels, four lieutenant colonels, ten majors, twenty captains, sixteen first lieutenants; and all vacancies which may hereafter exist in the grade of first lieutenant in said Department shall be filled by transfer from the line of the Army: *Provided*, That no appointment or promotion in said Department shall hereafter be made until the officer or person so appointed or promoted shall have passed a satisfactory examination before a board of ordnance officers senior to himself.

SEC. 6. That no officer now in service shall be reduced in rank or mustered out by reason of any provision of law herein made reducing the number of officers in any department or corps of the staff.

SEC. 7. That as vacancies shall occur in any of the grades of the Ordnance and Medical Departments, no appointments shall be made to fill the same until the numbers in such grade shall be reduced to the numbers which are fixed for permanent appointments by the provisions of this act; and thereafter the number of permanent officers in said grades shall continue to conform to said reduced numbers; and all other grades in said Ordnance and Medical Departments than those authorized by the provisions of this act shall cease to exist as soon as the same shall become vacant by death, resignation, or otherwise; and no appointment or promotion shall hereafter be made to fill any vacancy which may occur therein.

SEC. 8. That so much of section six of an act entitled "An Act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," approved March third, eighteen hundred and sixty-nine, as applies to the Ordnance, Subsistence, and Medical Departments of the Army be, and the same is hereby, repealed: *Provided*, That this section repealing said section shall not apply to any of the grades of the Medical or Ordnance Departments which are omitted or abolished by the provisions of this act.

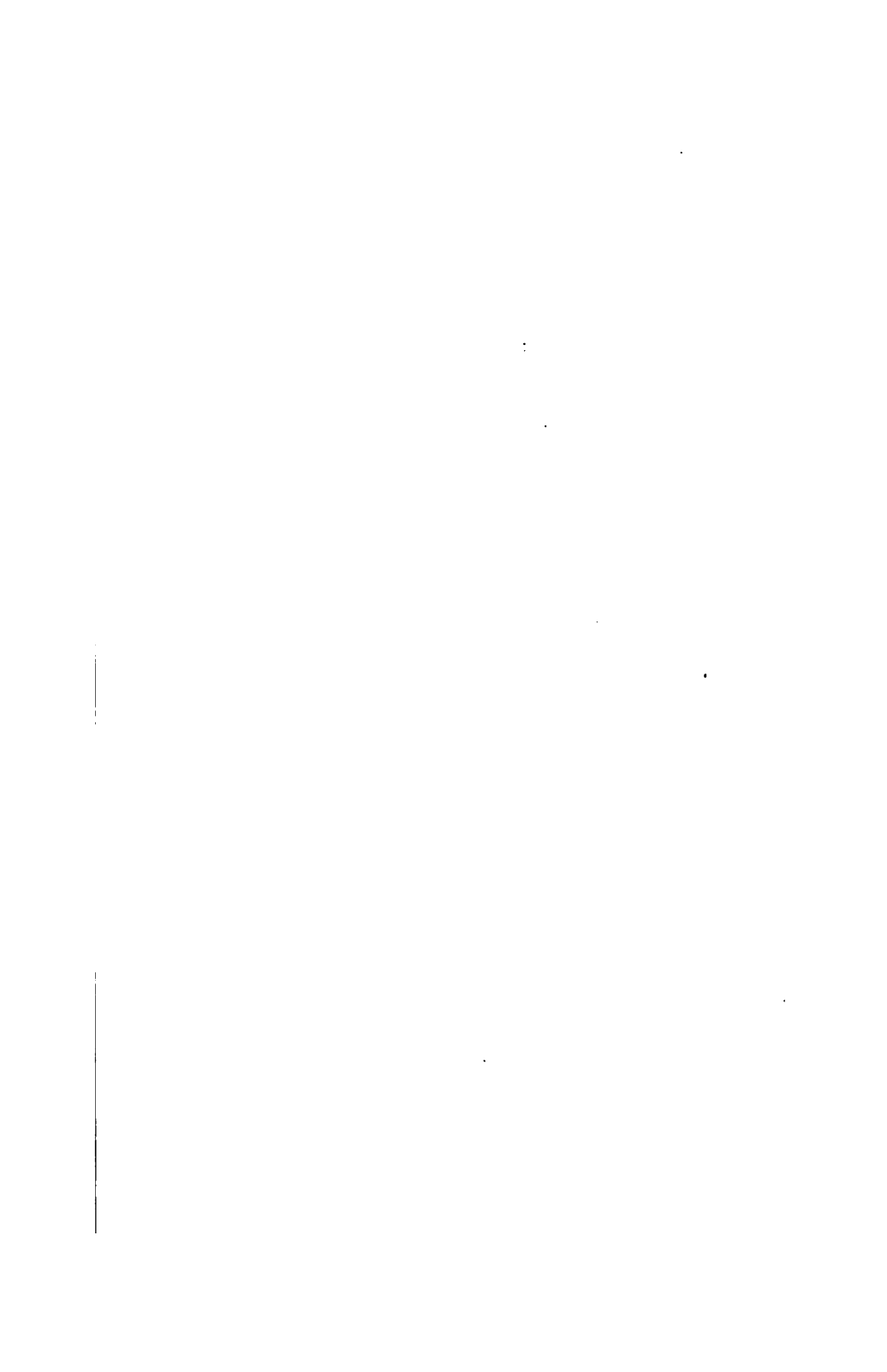
*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 79.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 6, 1874.

The following extract of an Act of Congress is published for the information and government of all concerned :

AN ACT making appropriations to supply deficiencies in the appropriations for the service of the Government for the fiscal years ending June thirtieth, eighteen hundred and seventy-three and eighteen hundred and seventy-four, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the service of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-four, and for former years, and for other purposes, namely :

\* \* \* \* \*

#### QUARTERMASTER'S DEPARTMENT.

Regular supplies : For fuel for officers, enlisted men, guards, store-houses, and offices, forage for the horses, mules, and oxen of the Quartermaster's Department at the several posts and stations, and with the armies in the field, and for horses of the several regiments of cavalry and batteries of artillery, and such companies of infantry and scouts as may be mounted, and for the authorized number of officers' horses, including bedding for the animals, straw for soldiers' bedding, stationery, including blank books for the Quartermaster's Department, certificates of discharged soldiers, blank forms for the Pay and Quartermaster's Departments, and for the printing of division and department orders and reports, being for the service of the fiscal year ending June thirtieth, eighteen hundred and seventy-three, one hundred thousand dollars.

For incidental expenses, consisting of postage and telegrams or dispatches received and sent on public business, extra pay to soldiers employed under the direction of the Quartermaster's Department in the erection of barracks, quarters, store-houses, and hospitals; in the construction of roads and other constant labor for periods of not less than ten days, including those employed as clerks at division and department

headquarters, and hospital stewards on clerical duty; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains, where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field or at posts on the frontier or other places, when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of labor in the Quartermaster's Department, including the hire of interpreters, spies, and guides for the Army; compensation of clerks for officers of the Quartermaster's Department; compensation of forage and wagonmasters; for the apprehension, securing, and delivering of deserters, and the expenses incident to their pursuit; and for the following expenditures, required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, namely: the purchase of traveling forges, blacksmiths' and shoeing tools, horse and mule shoes and nails, iron and steel for shoeing; hire of veterinary surgeons; medicine for horses and mules; picket ropes; and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movement and operations of the Army not expressly assigned to any other department, being a deficiency for the fiscal year ending June thirtieth, eighteen hundred and seventy-three, two hundred thousand dollars.

For transportation of the Army, including the baggage of the troops, when moving either by land or water; of clothing and camp and garrison equipage, from the depots at Philadelphia and Jeffersonville to the several posts and Army depots, and from these depots to the troops in the field; of horse-equipments and of subsistence-stores from the places of purchase and from the places of delivery, under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance-stores, and small arms, from the founderies and armories to the arsenals, fortifications, frontier posts, and Army depots; freights, wharfage, tolls, and ferriages; the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels, and of boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; transportation of funds for the pay and other disbursing departments; the expense of sailing public transports on various rivers, the Gulf of Mexico, the Atlantic, and the Pacific; for procuring water at such posts as from their situation require that it be brought from a distance; and for clearing

roads, and for removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of troops in the field, being a deficiency for fiscal year ending June thirtieth, eighteen hundred and seventy-three, not including Pacific railroad accounts, one hundred and seventy-five thousand dollars: *Provided*, That no part of the sum appropriated by any provision of this act shall be paid to any railroad company which has received a grant of land on the condition that its road should be a public highway for the transportation of the property and troops of the United States free from toll or other charge.

Barracks and quarters: For rent or hire of quarters for troops, and for officers on military duty; of store-houses for safe keeping of military stores; of offices; of grounds for camps and cantonments, and for temporary frontier stations; for construction and repair of temporary huts, of stables and other military buildings at established posts, and for repairs of buildings occupied by the Army, being a deficiency for fiscal year ending June thirtieth, eighteen hundred and seventy-three, ninety thousand dollars.

Signal Office: For expenses of the observation and report of storms by telegraph and signals; for the manufacture, purchase, or repair of meteorological and other necessary instruments; for telegraphing reports; for expenses of storm-signals, announcing probable approach and force of storms; for instrument shelters; for hire, furniture, and expenses of offices, maintained for public use, in cities or ports receiving reports; for river reports; for maps and bulletins, to be displayed in chambers of commerce and boards of trade rooms, and for distribution; for books and stationery; and for incidental expenses not otherwise provided for, being a deficiency for the fiscal year ending June thirtieth, eighteen hundred and seventy-four, forty-five thousand dollars.

To pay Benn Pitman balance due him for transcribing phonographic notes of the testimony and proceedings of the court of inquiry into the operations of the Army under the command of Major General D. C. Buell, in Kentucky and Tennessee, during the winter and spring of eighteen hundred and sixty-two and eighteen hundred and sixty-three, nine hundred and ninety dollars and fifty cents.

For compensation of the two commissioners appointed from civil life on the military prison board, under the second section of "An Act to provide for the establishment of a military prison, and for its government," approved March third, eighteen hundred and seventy-three, while actually on duty, four hundred and sixty dollars; for traveling

expenses of said commissioners and of the Secretary of War under said act, one thousand five hundred dollars: *Provided*, That the duties of said commissioners shall cease after the expiration of the current fiscal year.

\* \* \* \* \*

*Approved June 22, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 80. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, July 8, 1874.*

The authority of the Division or Department Commander must be obtained for the transportation by express of funds of the Pay Department. Said transportation will be furnished by the Quartermaster's Department.

When application is made in person to the Quartermaster by the Paymaster for such transportation, the receipt of the Quartermaster will be for sealed packages said to contain so much money. When application is made by mail, the Paymaster will send a check to the order of the Quartermaster, who will receipt to the former for the actual amount to be transported to the points designated.

The object of this last regulation is to obviate the necessity of journeys to procure funds by Paymasters, it being neither expedient nor economical that they should be absent from their posts for such purposes; as, for instance, to repair from St. Paul or Omaha to Chicago.

The Paymaster will not treat these transactions as an actual transfer of funds for which the Quartermaster's receipt would be the voucher, but will, upon his weekly and monthly returns, during the pendency of the transportation, account for this portion of his balance as in process of transportation by the Quartermaster's Department from..... to.....

The Quartermaster's Department must be able to show due care and precaution in providing for this transportation, but if loss of funds occurs by unavoidable accident, as by shipwreck or fire, it remains for the Paymaster to seek relief by application to the Court of Claims or to Congress.

General Orders No. 105, of October 28, 1873, from this Office, is hereby rescinded.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 81.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 8, 1874.

The following extracts of an Act of Congress are published for the information and government of all concerned :

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, namely :

PUBLIC PRINTING AND BINDING.

\* \* \* \* \* for the War Department,  
one hundred thousand dollars ; \* \* \* \* \* *Provided*, That hereafter the Congressional Printer shall print, upon the order of the heads of the Executive Departments, respectively, only such limited number of the annual reports of such Departments and necessary accompanying reports of subordinates as may be deemed necessary for the use of Congress : *Provided, however*, That no expensive maps or illustrations shall be printed without the special order of Congress.  
\* \* \* \* \*

COLUMBIA HOSPITAL FOR WOMEN AND LYING-IN ASYLUM, AND  
OTHER CHARITIES.

\* \* \* \* \*  
For care, support, and medical treatment of seventy-five transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, under a contract to be formed with such institution, fifteen thousand dollars, or so much thereof as may be necessary, under the direction of the Secretary of War.  
\* \* \* \* \*

\* \* \* \* \*  
That all moneys hereafter appropriated for the aid, use, support, or benefit of any charitable, industrial, or other association, institution, or corporation, shall be placed to the credit of the proper fiscal officer of

such association, institution, or corporation, by warrant of the Secretary of the Treasury, on the books of the Treasurer of the United States, or of an assistant treasurer or designated depository of the United States other than a national bank, and shall be paid out only on the checks of such fiscal officer, drawn payable to the order of the person to whom payment is to be made, for services, materials, or any other purpose, and stating in writing thereon the specific object or purpose to which the avails thereof are to be applied: *Provided*, That when payments are to be made under twenty dollars, such fiscal officer may check in his own name, but shall state in writing on the check that the avails thereof are to be applied to the payment of small claims, and shall furnish, to the Treasurer, assistant treasurer, or designated depository on whom the check is drawn, a certified list of such claims, which list shall set forth the amount and nature of each claim and the name of each claimant.

\* \* \* \* \*

#### ARMORIES AND ARSENALS.

For Rock Island Arsenal, Rock Island, Illinois: To continue work on the wood-working and gun-carriage shop for the arsenal, one hundred and fifty thousand dollars.

For a new rolling-mill and forging-shop for the armory, ninety-five thousand dollars.

For roofs, floors, doors, and windows, and other work for completing the finishing-shop, eighty thousand and five hundred dollars.

For repairs and completion of a stone reservoir, as follows: For a water-tight interior wall, floor, and roof, five thousand and one hundred dollars; for water-pipe, and laying the same, five thousand seven hundred and fifty dollars; for Rock Island water-power, five thousand and four hundred dollars.

Far Rock Island bridge: For alterations and repairs and additional machinery, (for draw of the bridge,) and for care and preservation, twenty-three thousand and four hundred dollars; one-half of which sum shall be re-imbursed to the Government by the Chicago, Rock Island, and Pacific Railroad Company.

For sewers, building new roads, care and preservation of water-power, painting and care and preservation of permanent buildings and bridges, building fences, and grading grounds, and repairs and extension of the railroad, twenty thousand dollars.

For new machinery and shop-fixtures for shops, fifteen thousand dollars.

For Springfield armory, Springfield, Massachusetts: For repairs and preservation of grounds, buildings, and machinery, twenty thousand dollars.

For Benecia arsenal, California: For blacksmith-shop, thirty-five thousand dollars; for transferring machinery from the present shop-building to the new shop-buildings, two thousand three hundred and seventy-five dollars.

For repairing roads, buildings, sewers, drains, and grading grounds, ten thousand dollars.

For continuing the boring of an artesian well, or, if artesian water is procured, for putting down permanent iron pipes and turbine wheel, to be run by flow of water, to pump up water to the reservoir, five thousand and forty-seven dollars.

For machinery for shops, for fences, and other similar necessities, four thousand eight hundred and eighty-five dollars.

For repairs of arsenals: For repairs of smaller arsenals, and to meet such unforeseen expenditures at arsenals as accidents or other contingencies during the year may render necessary, fifty thousand dollars.

To enable the Secretary of War to provide for constructing a military bridge across the North Platte River at or near Fort Laramie, Wyoming Territory, fifteen thousand dollars.

To enable the Secretary of War to purchase for the United States, of the owners thereof, the lot and buildings thereon, immediately west of Winder's building, on F street, Washington City, and the house and lot in the rear of and immediately adjoining the Army Medical Museum, on Tenth street, Washington City, thirty-eight thousand five hundred dollars, or so much thereof as may be necessary for the purpose: *Provided*, That the cost of said lot adjoining Winder's building shall not exceed thirty-five thousand dollars, and the cost of said property adjoining the Army Medical Museum shall not exceed three thousand five hundred dollars, and that payment shall not be made for either lot until the title thereto is perfect and the property free of incumbrance.

It is hereby declared that the northern part of Woodlawn Cemetery, in the city of Elmira, in the State of New York, occupied by soldiers' graves, shall be deemed a national cemetery so far only that the headstones of said soldiers' graves shall be renewed and maintained, and the graves cared for, under the provisions of law applicable to national cemeteries.

That second section of an act entitled "An Act making appropriation for the support of the Army for the fiscal year ending June thirtieth, G. O. No. 81—2

eighteen hundred and seventy-five, and for other purposes." passed at the present session, shall be construed to direct the Third Auditor of the Treasury to certify to the Secretary of the Treasury the sum necessary in the settlement of accounts for steamboats and other vessels, pending in his office, under the joint resolution approved December twenty-third, eighteen hundred and sixty-nine, and March third, eighteen hundred and seventy-one, and said sum so certified shall be excepted from the operation of the said second section: But nothing herein contained shall be construed to affect the present jurisdiction of the Second Comptroller of the Treasury in this class of cases: *Provided*, That the Secretary of War is authorized to employ not exceeding thirteen enlisted men for one year in the Ordnance Bureau.

To enable the Secretary of War to begin the publication of the official records of the war of the rebellion, both of the Union and of the Confederate armies, the sum of fifteen thousand dollars. And the Secretary of War is hereby directed to have copied for the Public Printer all reports, letters, telegrams, and general orders not heretofore copied or printed, and properly arranged in chronological order.

For continuing experiments with breech-loading cannon, under the direction of the Secretary of War, the sum of ten thousand dollars is hereby appropriated.

For the purpose of testing Mr. Leech's breech-loading gun, under the direction of the Secretary of War, the sum of ten thousand dollars is hereby appropriated.

To enable the Secretary of War to alter certain stone buildings, and make the proper walls and constructions around the same, to fit them for a military prison, at Fort Leavenworth, Kansas, the sum of twenty-five thousand dollars.

#### SIGNAL-OFFICE.

Observation and report of storms: For expenses of the observation and report of storms by telegraph and signals, for the benefit of commerce and agriculture throughout the United States; for manufacture, purchase, or repair of meteorological and other necessary instruments; for telegraphing reports; for expenses of storm-signals, announcing probable approach and force of storms; for continuing the establishment and connection of stations at life saving stations and light-houses; for instrument-shelters; for hire, furniture, and expenses of offices maintained for public use in cities or ports receiving reports; for river-reports; for maps and

bulletins to be displayed in chambers of commerce and boards-of-trade rooms and for distribution; for books and stationery; and for incidental expenses not otherwise provided for, three hundred and fifty-five thousand three hundred and twenty-five dollars.

To enable the Secretary of War to extend the line of military telegraph from Prescott to Camp Verde and Camp Apache, in Arizona, four thousand dollars: *Provided*, That the Secretary of War be, and he is hereby, authorized to pay the expenses of operating and keeping in repair the telegraph-lines constructed and operated by the War Department in said Territory out of any moneys received for dispatches sent over said lines; any balance remaining after the payment of such expenses to be covered into the Treasury as a miscellaneous receipt; the moneys received in any one fiscal year to be used only in payment for the expenses of that year. And a full report of the receipts and expenditures in connection with the said telegraph-lines shall be made quarterly to the Secretary of War through the Chief Signal Officer. And the Chief Signal Officer shall have the charge and control of said lines of telegraph in the construction, repair, and operation of the same.

For this amount, or so much thereof as may be necessary, for the erection of winter quarters for troops stationed near the Red Cloud and Whetstone Indian agencies, thirty thousand dollars.

#### NORTHERN AND NORTHWESTERN LAKES.

For continuation of the survey of northern and northwestern lakes, one hundred and seventy-five thousand dollars; and the unexpended balances of appropriations for "surveys for military defenses" existing June thirtieth, eighteen hundred and seventy-three, be, and the same are hereby, continued and rendered available for the service of the fiscal year ending June thirtieth, eighteen hundred and seventy-five.

#### MISCELLANEOUS OBJECTS.

Support of Freedmen's Hospital and Asylum at Washington, District of Columbia: Pay of medical officers and attendants; medicines, medical supplies, and rations; clothing; rent of hospital-buildings; fuel and lights; repairs and transportation, fifty thousand dollars: *Provided*, That after June thirtieth, eighteen hundred and seventy-four, the Freedmen's Hospital in the District of Columbia shall, until otherwise ordered by Congress, be continued under the direction of the Secretary of the Interior, who shall make all estimates and pass all accounts, and shall

be accountable to the Treasury of the United States for all expenditures; and all property, including hospital and quartermaster's stores, belonging to said hospital and now in charge of the War Department, be also transferred to the Interior Department.

\* \* \* \* \*  
Collection and payment of bounty, prize-money, and other claims of colored soldiers and sailors: Salaries of agents and clerks; rent of office; fuel and lights, stationery, and so forth; office furniture and repairs; mileage and transportation of officers and agents; telegraphing and postage, eighty-five thousand dollars.

For completing the medical and surgical history of the war, the unexpended balance of the appropriation made in the act of June eighth, eighteen hundred and seventy-two, is hereby continued and rendered available. And the Surgeon-General is hereby authorized to continue on duty in his office the acting assistant surgeons now employed on said history during the next fiscal year.

For continuing the publication of the medical and surgical history of the war, to be distributed as Congress may direct, sixty thousand dollars; to be used in the preparation of illustrations for a new edition of five thousand copies of entire work: *Provided*, That the necessary engraving and lithographing for those publications may be executed under the directions of the Secretary of War, without advertisement.

For completing the medical statistics of the Provost-Marshal-General's Bureau, the unexpended balance of the appropriation made by the act of July twenty-eighth, eighteen hundred and sixty-six, is hereby continued and made available.

For engraving and printing the plates illustrating the report of the geographical and geological explorations and surveys west of the one hundredth meridian, to be published in quarto-form, the printing and binding to be done at the Government Printing Office, twenty-five thousand dollars.

\* \* \* \* \*  
For payment of costs and charges of State penitentiaries for the care, clothing, maintenance, and medical attendance of United States military convicts confined in them, sixty-five thousand dollars.

To indemnify the States for expenses incurred by them in enrolling, equipping, and transporting troops for the defense of the United States during the late insurrection, two hundred and fifty thousand dollars.

To provide for the payment under existing laws for horses and other property lost or destroyed in the military service of the United States, fifty thousand dollars.

For a re-survey of the Au Sable River, Michigan, and establishing dock-lines, not exceeding one thousand dollars, to be paid for from unexpended balance of appropriation heretofore made for the improvement of said river.

#### BUILDINGS AND GROUNDS IN AND AROUND WASHINGTON.

Improvement and care of public grounds : Repair, care, and improvement of public buildings, grounds, and works in the District of Columbia, under direction of the Chief of Engineers :

For grounds south of Executive Mansion, ten thousand dollars.

For the Smithsonian Grounds, ten thousand dollars.

For Armory Square, inclosing on two sides with posts and chain, and for asphalt walks, five thousand dollars.

For four reservations between Third and Sixth streets, grading, excavating walks, graveling and asphalt for same, and inclosing, five thousand dollars.

For inclosing Lincoln Square, and for purchase of trees and seats, five thousand dollars.

For improving the portion of Franklin Square on K street lately added to those grounds, and for grading and completing edges of walks, and for granite coping for fountain-bowl, and planting trees, three thousand dollars.

For a pedestal for Ball's bronze statue of Lincoln, to be placed in Lincoln Square, three thousand dollars.

For continuing improvement of Judiciary Square; purchase of seats, trees, and evergreens; and for fountain, ten thousand dollars; and the jail-building situated on said square shall be sold as soon as practicable, and the money obtained therefor shall be placed in the Treasury to the credit of the fund for the improvement of said square.

For improving various reservations, twenty thousand dollars.

For repair of the various fountains in the public grounds, one thousand dollars.

For ordinary repairs of propagating-house and extension of the same, three thousand dollars.

For ordinary care and protection of Lafayette Square, two thousand dollars.

For annual repair of fences, two thousand dollars.

For manure and hire of horses and carts for hauling the same, eight thousand dollars.

For painting iron fences, four thousand dollars.



For purchase and repair of seats, one thousand dollars.

For purchase and repair of tools, two thousand dollars.

For trees, tree-boxes, lime, and whitewashing, five thousand dollars.

For flowers, flower-pots, twine, wire, and glasses, one thousand dollars.

For removing snow and ice, one thousand dollars.

For purchase of young trees and plants for nursery, two thousand dollars.

For tree-markers and marking trees, one hundred dollars; for making cages and boxes for sparrows, two hundred and fifty dollars; for abating nuisances, one thousand dollars; for constructing a fountain and for asphalt in the circle at the intersection of Vermont and Rhode Island avenues, five thousand dollars; for inclosing and improving the triangular reservation on Pennsylvania avenue and Twenty-first street, two thousand dollars.

For continuing the improvement of reservation numbered three, ten thousand dollars.

For improving the grounds of the old canal, ten thousand dollars.

Repairs and fuel for the Executive Mansion: For annual repairs of the Executive Mansion, ten thousand dollars; for care of and refurnishing the Executive Mansion, ten thousand dollars; for fuel for the Executive Mansion and green-houses, five thousand dollars; and for care of, and necessary repairs to, the green-house, the unexpended balance of appropriation heretofore made is hereby rendered available.

For lighting the Capitol and Executive Mansion, as follows: For gas, thirty-five thousand dollars; for pay of lamp-lighters, gas fitting, plumbing, lamps, lamp-posts, and for repairs of all sorts, fifteen thousand dollars; for fuel for watchmen's lodges and for the green-houses at the propagating gardens, one thousand dollars.

For annual repairs at the navy-yard and upper bridges, seven thousand dollars; for repairing and extending water-pipes, purchase of apparatus to clean them, and for cleaning the springs for supplying the Capitol, the Executive Mansion, and War and Navy Departments, ten thousand dollars.

For additional work and materials for completing superstructure of Chain Bridge, including railing, lighting, and painting, four thousand nine hundred and eighty dollars.

Washington Aqueduct: For engineering, maintenance, and general repairs, fifteen thousand dollars; for building a wooden fence around Government land at the Great Falls, one thousand five hundred dollars;

for building dwelling and office at Great Falls, three thousand dollars ; for paving the roadway over Griffith Park bridge and over Cabin John bridge with asphalt pavement, five thousand eight hundred dollars ; for furnishing and setting four magneto-dial instruments in connection with the telegraph-line from Great Falls to Georgetown, one thousand one hundred dollars.

For continuing macadamizing of conduit-road, five thousand dollars.

For widening embankments along the line of the Washington Aqueduct, five thousand dollars.

For continuing the work on the new jail in the District of Columbia, fifty thousand dollars.

To enable the Joint Committee on the Library of Congress to procure plans for the accommodation of the Library, two thousand dollars.

\* \* \* \* \*

SEC. 6. To enable the Secretary of War to carry out the provisions of the act approved April twenty-third, eighteen hundred and seventy-four, entitled "An Act to provide for the relief of the persons suffering from the overflow of the Lower Mississippi River," and also of the joint resolution authorizing the President to issue Army rations and clothing to destitute people on the Tombigbee, Warrior, and Alabama Rivers, approved May twenty-eighth, eighteen hundred and seventy-four, the sum of four hundred thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of purchasing supplies of food, to be issued under his direction to any and all classes of destitute or helpless persons living on or near the Lower Mississippi, Tombigbee, Warrior, and Alabama Rivers who have been rendered so by reason of the recent overflow ; and that the Secretary of War make detailed reports to the Congress of the expenditure under this act, and of the act and joint resolution aforesaid : *Provided*, That the authority hereby conferred upon the Secretary of War shall expire on the first day of September, eighteen hundred and seventy-four ; and none of the moneys hereby or formerly appropriated shall be expended except in cases where the Secretary of War shall be satisfied that there is an actual and pressing case of destitution, and that such destitution is directly caused by said overflow : *Provided further*, That any balances remaining unexpended from the appropriation provided for in the act of the twenty-third of April, eighteen hundred and seventy-four, aforesaid, may be used for the purposes expressed in either said act or said joint resolution : *And provided further*, That the Secretary of War may use

any of the money hereby or formerly appropriated for the relief of the destitute people upon the Tennessee River when satisfied that their necessities arise from the recent overflow of said river.

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 82. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 9, 1874.

The following Act of Congress is published for the information and government of all concerned :

AN ACT making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums of money be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be expended, under the direction of the Secretary of War, for the repair, preservation, and completion of the following public works, hereinafter named :

For continuing the improvement of the entrance to the inner harbor of Du Luth, ten thousand dollars.

For continuing the improvement of the harbor at Ontonagon, twenty-three thousand dollars.

For continuing the improvement of the harbor at Marquette, fifteen thousand dollars.

For continuing the improvement of the Fox and Wisconsin Rivers, three hundred thousand dollars. Not exceeding twenty-five thousand dollars of the above may be used for the purchase of such real estate as may be required for the right of way, or for flowing, in the completion of the Fox and Wisconsin improvement.

For continuing the improvement of the harbor at Green Bay, Wisconsin, ten thousand dollars.

For continuing the improvement of the harbor at Menomonee, Michigan and Wisconsin, twenty-five thousand dollars.

For continuing the improvement of the harbor of refuge at the entrance of the Sturgeon Bay Canal, ten thousand dollars.

For continuing the improvement of the harbor at Two Rivers, Wisconsin, fifteen thousand dollars.

For continuing the improvement of the harbor at Manitowoc, Wisconsin, ten thousand dollars.

For continuing the improvement of the harbor at Sheboygan, Wisconsin, ten thousand dollars.

For continuing the improvement of the harbor at Port Washington, Wisconsin, ten thousand dollars.

For continuing the improvement of the harbor at Racine, Wisconsin, ten thousand dollars.

For continuing the improvement of the harbor at Kenosha, Wisconsin, ten thousand dollars.

For continuing the improvement of the harbor at Chicago, seventy-five thousand dollars.

For continuing the improvement of the harbor at Calumet, Illinois, twenty-five thousand dollars.

For continuing the improvement of the harbor at Michigan City, Indiana, fifty thousand dollars.

For continuing the improvement of the harbor at Frankfort, Michigan, ten thousand dollars.

For continuing the improvement of the harbor at Manistee, Michigan, ten thousand dollars.

For continuing the improvement of the harbor at Ludington, Michigan, twenty thousand dollars.

For continuing the improvement of the harbor at White River, Michigan, ten thousand dollars.

For continuing the improvement of the harbor at Muskegon, Michigan, ten thousand dollars.

For continuing the improvement of the harbor at Grand Haven, Michigan, fifty thousand dollars.

For continuing the improvement of the harbor at Black Lake, Michigan, fifteen thousand dollars.

For continuing the improvement of the harbor at Saugatuck, Michigan, ten thousand dollars.

For continuing the improvement of the harbor at South Haven, Michigan, ten thousand dollars.

For continuing the improvement of the harbor at Saint Joseph, Michigan, two thousand dollars.

For continuing the improvement of Saint Mary's River and Saint Mary's Falls Canal, two hundred thousand dollars.

For continuing the improvement of the harbor at Cheboygan, Michigan, fifteen thousand dollars.

For continuing the improvement of the Saint Clair River at the mouth of Black River, fifteen thousand dollars.

For continuing the improvement of the harbor of refuge, Lake Huron, seventy-five thousand dollars.

For continuing the improvement of the harbor at Monroe, Michigan, ten thousand dollars.

For removing bowlders and rocks from the Detroit River, partly in Canadian waters, twenty-five thousand dollars.

For continuing the improvement of the harbor at Toledo, Ohio, seventy-five thousand dollars.

For continuing the improvement of the harbor at Sandusky City, Ohio, twenty-five thousand dollars.

For continuing the improvement of the harbor at Huron, Ohio, one thousand five hundred dollars.

For continuing the improvement of the harbor at Vermillion, Ohio, three thousand dollars.

For continuing the improvement of the harbor at Black River, Ohio, twenty thousand dollars.

For continuing the improvement of the harbor at Cleveland, Ohio, thirty thousand five hundred dollars.

For continuing the improvement of the harbor at Grand River, Ohio, twenty thousand dollars.

For continuing the improvement of the harbor at Ashtabula, Ohio, thirty-five thousand dollars.

For continuing the improvement of the harbor at Conneaut, Ohio, one thousand five hundred dollars.

For preserving and continuing the work upon the pier at Rocky River, Ohio, ten thousand dollars.

For continuing the improvement of the harbor at Dunkirk, New York, thirty-five thousand dollars.

For the improvement of the harbor at Erie, Pennsylvania, twenty thousand dollars.

For continuing the improvement of the harbor at Buffalo, New York, seventy-five thousand dollars; and the Secretary of War is authorized to remove and prevent accumulations of sand at the entrance to said harbor, provided the same can be done without expense or liability against the United States.

For continuing the improvement of the harbor at Olcott, New York, ten thousand dollars.

For continuing the improvement of the harbor at Oak Orchard, New York, ten thousand dollars.



For continuing the improvement of the harbor at Pultneyville, New York, ten thousand dollars.

For continuing the improvement of the harbor at Great Sodus Bay, New York, fifteen thousand dollars.

For continuing the improvement of the harbor at Little Sodus Bay, New York, fifteen thousand dollars.

For continuing the improvement of the harbor at Oswego, New York, seventy-five thousand dollars.

For continuing the improvement of the harbor at Waddington, New York, ten thousand dollars.

For continuing the improvement of the harbor at Ogdensburgh, New York, six thousand dollars.

For continuing the improvement of the harbor at Plattsburgh, New York, five thousand dollars.

For continuing the improvement of the harbor at Burlington, Vermont, twenty-five thousand dollars.

For continuing the improvement of the harbor at Swanton, Vermont, eight thousand dollars.

For continuing the improvement of the Falls of Saint Anthony, and for the improvement of the Mississippi River above the Falls of Saint Anthony, Minnesota, one hundred and fifty thousand dollars; and twenty-five thousand dollars of said amount shall be expended for the improvement of the Mississippi River above the Falls of Saint Anthony.

For the survey or improvement of the Minnesota River, ten thousand dollars.

For continuing the improvement of the Upper Mississippi River, twenty-five thousand dollars.

For continuing the improvement of the Illinois River, seventy-five thousand dollars.

For continuing the improvement of the Des Moines Rapids, Mississippi River, four hundred thousand dollars.

For continuing the improvement of the Rock Island Rapids, Mississippi River, fifty thousand dollars.

For continuing the improvement of the Mississippi, Missouri, and Arkansas Rivers, one hundred thousand dollars.

For continuing the improvement of the White River above Jacksonport, fifty thousand dollars.

For continuing the improvement of the Osage River, Missouri, twenty-five thousand dollars.

For continuing the improvement of the Mississippi River between the mouths of the Ohio and Illinois Rivers, two hundred thousand dollars ; and fifteen thousand dollars of said amount shall be expended between the mouths of the Missouri and Illinois Rivers.

For continuing the improvement of the Ohio River, one hundred and fifty thousand dollars ; one-half of which shall be expended above and the other half below the suspension bridge between Cincinnati, Ohio, and Covington, Kentucky ; forty thousand dollars of the above amount that is to be expended above the suspension bridge may, if approved by the Chief of Engineers, be expended in a permanent improvement of navigation at Pittsburgh, Pennsylvania.

For continuing the improvement of the Wabash River, twenty-five thousand dollars : *Provided*, That a portion of this appropriation, not exceeding nine thousand dollars, may be used by the Secretary of War, in his discretion, for the extinguishment of any right, title, or claim of the Wabash Navigation Company in the lock and dam at Grand Rapids, on said river, and other property said company may claim on said river, and for the extinguishment of any right said company may have to affect or interfere in any way with the navigation of said river ; but no part of this appropriation shall be expended until said navigation company shall have relinquished all right to control or otherwise in any manner interfere with or affect the free navigation of said river.

For continuing the improvement of the Upper Monongahela River near Morgantown, West Virginia, twenty-five thousand dollars.

For continuing the improvement of the Great Kanawha River, West Virginia, twenty-five thousand dollars.

For continuing the improvement of the Tennessee River above Chattanooga, twenty-five thousand dollars ; and below Chattanooga, including Muscle Shoals, one hundred thousand dollars.

For continuing the improvement of the mouth of the Mississippi River, one hundred and thirty thousand dollars.

For removing the raft in Red River, Louisiana, fifty thousand dollars.

For removing obstructions in the Choctawatchie River, Alabama and Florida, five thousand dollars.

For continuing the improvement of the harbor at Mobile, Alabama, one hundred thousand dollars.

For continuing the improvement of the harbor at Savannah, Georgia, fifty thousand dollars.

For the improvement of the Chattahoochee and Flint Rivers, Georgia, twenty-five thousand dollars.

For continuing the improvement at the mouth of the Saint John's River, Florida, or may be used for dredging out the inside passage between the Saint John's and Nassau Inlet, ten thousand dollars.

For the improvement of the Apalachicola River, Florida, ten thousand dollars.

For continuing the improvement of the harbor at Baltimore, Maryland, seventy-five thousand dollars.

For the improvement of Chester River, at Kent Island Narrows, Maryland, five thousand dollars.

For continuing the improvement of the Wicomico River, Maryland, five thousand dollars.

For the improvement of Elk River, Maryland, five thousand dollars.

For continuing the improvement at the mouth of the Occoquan River, Virginia, five thousand dollars.

For continuing the improvement at the mouth of Nomoni Creek, Virginia, six thousand dollars.

For continuing the improvement of the Rappahannock River, Virginia, seven thousand dollars.

For continuing the improvement of the James River, Virginia, fifty thousand dollars.

For continuing the improvement of the Appomattox River, Virginia, thirty thousand dollars.

For continuing the improvement of the south branch of Elizabeth River, Virginia, ten thousand dollars.

For continuing the improvement of the Nansemond River, Virginia, ten thousand dollars.

For continuing the improvement of the Roanoke River, North Carolina, five thousand dollars.

For continuing the improvement of the Cape Fear River, North Carolina, one hundred and fifty thousand dollars.

For continuing the improvement of the Delaware River and channel at Fort Mifflin Bar, fifty thousand dollars.

For continuing the improvement of the Delaware River between Trenton and Bordentown, ten thousand dollars.

For the removal of obstructions in the harbor and the construction of a pier at New Castle, Delaware, ten thousand dollars.

For continuing the improvement of the harbor at Wilmington, Delaware, six thousand dollars.

For continuing United States pier in Delaware Bay, near Lewes, Delaware, ten thousand dollars.

For continuing the improvement of the Schuylkill River, twenty thousand dollars.

For continuing the improvement of the Hudson River, New York, forty thousand dollars; and out of this appropriation the sum of seven thousand four hundred and sixty-two dollars may be paid by the Chief of Engineers to Emory R. Seward, in full payment for work done by him in removing the overslaugh rock in the Hudson River, under his contract made in eighteen hundred and seventy.

For continuing the improvement of the Passaic River, New Jersey, twenty thousand dollars.

For continuing the improvement by removing the obstructions in the East and Harlem Rivers at or near Hell Gate, two hundred and twenty-five thousand dollars.

For continuing the improvement of the harbor at Wareham, Massachusetts, ten thousand dollars.

For continuing the improvement of the harbor at Hyannis, Massachusetts, five thousand dollars.

For continuing the improvement of the Taunton River, Massachusetts, ten thousand dollars.

For the improvement of the harbor at Fall River, Massachusetts, ten thousand dollars.

For continuing the improvement of the breakwater at Block Island, twenty thousand dollars.

For continuing the improvement of the harbor at Newport, Rhode Island, ten thousand dollars.

For continuing the improvement of the harbor at Wickford, Rhode Island, five thousand dollars.

For continuing the improvement of the Pawcatuck River, Rhode Island and Connecticut, ten thousand dollars.

For continuing the improvement of the harbor at Stonington, Connecticut, twenty thousand dollars.

For continuing the improvement of the Connecticut River below Hartford, Connecticut, twenty thousand dollars.

For continuing the improvement of the Housatonic River, Connecticut, ten thousand dollars.

For continuing the improvement of the harbor at Bridgeport, Connecticut, twenty thousand dollars.

For continuing the improvement of the harbor at Norwalk, Connecticut, ten thousand dollars.

Tennessee River, above the mouth of Holston River to the Chilhowee Mountains, Tennessee.

Hiawassee River, below Benton, Tennessee.

Urbanna Creek, Virginia, below Urbanna.

Black Warrior River, below the mouth of Locust Fork, Alabama.

Cahaba River, below Centreville, Alabama.

Nantucket Harbor Bar, Massachusetts.

Lamprey River, below Newmarket, New Hampshire.

Exeter River, below Exeter, New Hampshire.

Minnesota River, for further examination for improvement by canals, locks, and dams.

Oconee River, from the Ocmulgee to Milledgeville, Georgia.

Chickahominy River, Virginia.

Hampton River, Virginia.

Wolf Lake Cut, Indiana.

Snake River, Idaho, from Shoshonee Falls to Lewiston, examination and estimates for removing bowlders and other obstructions.

Sacramento River, below Tehama, California.

Feather River, below Marysville, California.

Lake Winnipiseogee, for placing buoys on obstructions, New Hampshire.

Smutty Nose Island, as to repair breakwater, Portsmouth, New Hampshire.

Pagan Creek, Virginia.

New River, from the lead-mines in Wythe County, Virginia, to the "Mouth of Wilson," in Grayson County, Virginia.

The Little Kanawha River, below Bull Town.

Chippewa River, below Chippewa Falls, Wisconsin.

Dakota River, between Southern Dakota Railroad and Northern Pacific Railroad, Dakota Territory.

Tombigbee River, by way of Big Bear Creek, to the Tennessee, to connect water communication.

Estuary in Santa Barbara Channel, about two miles north of Point Muger, California.

Cleveland breakwater, new estimate for four fathoms water, Ohio.

San Joaquin River, below Stockton, California.

Gayandotte River, below Logan Court House, West Virginia.

Cedar Bayou Bar; and ten thousand dollars are hereby appropriated for the improvement of Red Fish Bar, in Galveston Bay, Texas.

Withlacoochee River, from mouth of Ocopilco River, Georgia.

- Ochalochnee River, below Atlantic and Gulf Railroad, Georgia.  
 Red River, at Alexandria, Louisiana.  
 Harlem River, from Randall's Island, by way of Spuyten Duyvil Creek, to Hudson River, New York.  
 Blackwater River, Virginia.  
 Mouth of Kennebunk River, Maine.  
 Brazos River, below Waco, including the bar at its mouth.  
 Guadalupe River, below Gonzales, Texas.  
 St. Croix River, below St. Croix Falls, in Minnesota and Wisconsin.  
 The Red River of the North, from Breckenridge to Moorhead.  
 Big Sandy River, below Piketon, Kentucky.  
 Twelve Pole River, below Wayne Court House, West Virginia.  
 Harbor of Hingham, Massachusetts, with reference to removal of obstructions.  
 Sebawaing River, Michigan, for entrance with eight feet water.  
 Mouth of Saginaw River, Michigan.  
 French Broad River, North Carolina, from Brevard to Buncombe County line.  
 Big Sandy River, from its mouth to Piketon, and to Warfield, in Kentucky.  
 Rock Castle River, Kentucky, from the foot of the narrows at Graham's Mills to its mouth.  
 Smith's Shoals, in the Cumberland River, Kentucky.  
 Inside passage between Fernandina and St. John's River, known as Nassau River, Florida.  
 Grand Marias Harbor, Lake Superior, Minnesota.  
 Pamunkey River, Virginia.  
 Mataponi River, Virginia.  
 Little Wicomico River, Virginia.  
 Totuskee River, Virginia, below the bridge.  
 Survey of harbor of Crisfield, Somerset County, Maryland, with a view of removing obstructions.  
 Harbor of Leonardtown, Britton Bay, Potomac River, Maryland, with a view to remove obstructions.  
 Harbor of Norfolk, Virginia.

SEC. 3. That a board of engineers, to be composed of three from the Army, one from the Coast Survey, and three from civil life, be appointed by the President; which said board shall make a survey of the mouth of the Mississippi River with a view to determine the best method of ob-

taining and maintaining a depth of water sufficient for the purposes of commerce, either by a canal from said river to the waters of the gulf, or by deepening one or more of the natural outlets of said river; and said board shall make a full and detailed estimate and statement of the cost of each of said plans, and shall report the same, together with their opinion thereon, showing which of all said plans they deem preferable, giving their reasons therefor, to the Secretary of War, to be presented at the commencement of the second session of the forty-third Congress: and that the sum of twenty-five thousand dollars, or so much thereof as may be necessary, is hereby appropriated, out of any funds in the Treasury not otherwise appropriated, to defray the cost of said survey.

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 83.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, July 10, 1874.*

The following order of the Postmaster General, fixing the rates of charges for telegraphic communications, is published for the information of the Army :

**RATES OF PAY FOR COMMUNICATIONS BY TELEGRAPH, 1874-75.**

POST OFFICE DEPARTMENT, *June 26, 1874.*

Whereas, by the act of Congress approved July twenty-fourth, A. D. eighteen hundred and sixty-six, entitled "An Act to aid in the construction of telegraph-lines, and to secure to the Government the use of the same for postal, military, and other purposes," in section second it is enacted "that telegraphic communications between the several Departments of the Government of the United States and their officers and agents shall, in their transmission over the lines of said companies, have priority over all other business, and shall be sent at rates to be annually fixed by the Postmaster General;"

Now, therefore, in pursuance and by virtue of the authority on me by said act conferred, I, J. A. J. Creswell, Postmaster General of the United States, do hereby fix the rates at which the telegraphic communications aforesaid shall be sent, for the year commencing on the first day of July, A. D. eighteen hundred and seventy-four, as follows, namely:

The rate for all telegraphic communications known as the signal-service messages and reports shall be three cents for each word of said reports and messages for each circuit over which it may pass in accordance with the schedule of circuits and plans of the Chief Signal Officer of the Army, which are now adopted or may hereafter be adopted by him for transmitting these dispatches, or such part thereof as he may designate, in such words or ciphers as may, from time to time, be directed by him. The amount thus estimated is to be taken in full payment for said dispatches; no additional allowance to be made for drops, office messages, or other services or special facilities required by the Chief Signal Officer for the correct and prompt transmission of said signal-service messages and reports.

The rate for all telegraphic communications, sent otherwise than over circuits established as aforesaid, shall be as follows, viz: One cent per word for each circuit through which it shall be transmitted, said rate to be computed subject to the following conditions, viz:

A distance of two hundred and fifty miles, as computed by the tables of the Post Office Department, shall be deemed a circuit.

If, in computing circuits, there shall be found one or more circuits and a fraction of a circuit, such fraction shall be deemed a circuit.

If a communication shall be sent a distance less than two hundred and fifty miles, that distance shall be deemed a circuit.



All words of the communication transmitted are to be counted, excepting the date and place at which such communication is filed; all messages of less than twenty-five words, address and signature included, shall be rated as if containing twenty-five words, and all messages exceeding twenty-five words shall be rated by the exact number of words they contain, address and signature included.

JNO. A. J. CRESWELL,  
*Postmaster General.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 84.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 10, 1874.

The following Opinion of the Solicitor General, approved by the Attorney General of the United States, is published for the information and government of all concerned :

### OPINION.

DEPARTMENT OF JUSTICE, June 29, 1874.

The SECRETARY OF WAR :

SIR: I have, at his instance, considered your communication of the 25th of June, addressed to the Attorney General, in relation to the act of June 16, 1874, regulating the payment of Land-Grant Railroad Companies for transportation, &c.; and in such connection I have taken advantage of the inclosures from the Quartermaster General transmitted by you at the same time.

The question involved arises upon the following language in the act above cited, upon which a doubt arises, as you state, whether it includes all railroad companies to which grants have been made by Congress for the benefit of their roads, or only such as received land grants on condition of free transportation of troops and property of the United States:

"That no part of the money appropriated by this act shall be paid to any railroad company for the transportation of any property or troops of the United States over any railroad which in whole or in part was constructed by the aid of the grant of public land, on the condition that such railroad should be a 'public highway for the use of the Government of the United States, free from toll or other charge,' or upon any other conditions for the use of such road for such transportation; nor shall any allowance be made out of any money appropriated by this act for the transportation of officers of the Army over any such road, when on duty and under orders as a military officer of the United States. But nothing herein contained shall be construed to prevent any such railroad from bringing a suit in the Court of Claims for the charges for such transportation, and recovering for the same if found entitled thereto by virtue of the laws in force prior to the passage of this act."

The distinction drawn by the above act is founded upon the presence or absence in such land grants, not of conditions in general, but of a certain sort of conditions, *vis*: those for the use of such road.

Reference to the legislation under which, especially within the last ten years, land grants have been made to railroad companies, shows, in connection with the above question, that such grants may be divided into three classes:

1. Cases in which, in one form of expression or another, *free transportation* is expressly stipulated for;
2. Cases in which conditions of *preference* in transportation, or of *ordinary* rates of transportation, or of *average* rates, &c., are all that have been expressly imposed;
3. Cases where *no conditions for the use* of said road by the Government have been imposed.

In my opinion there can be no question that the first are *included* within, and the third *excluded* from, the operation of the act of June 16, 1874, quoted above. The third class is a very small one, and probably exists by inadvertence of the legislature; but as Congress has limited its above prohibition to cases of grants "upon any [other] conditions *for the use of such road*," these, having no such condition attached, are not included.

I am of the opinion that cases under the second class are *included* within the prohibition. Indeed, this is the only class upon which the act has any *effective* operation; for the first class is already excluded from payment by the very acts which grant the land; as has been recognized heretofore by the Department of War.

A consideration of the passage above quoted brings me to the conclusion that it was the intention of Congress to make no appropriation at present for any case where the original grant may have left to them control of the question; and further, by a comprehensive expression, to remit all questions as to the extent of that control to the Court of Claims. Congress has said, as it were: Waiving all question of the obligation of the United States to pay companies whose land grants contain any condition for the use of their road until a decision by the Court of Claims, we hereby direct that no part of this appropriation shall be used to pay such claims. It seems to me that in so doing Congress has only resorted to a method of raising and deciding such questions that is usual amongst parties to business transactions controlled by rules of law that are obscure.

In the mean time, what the Quartermaster General has to do is to *maintain the issue* which Congress has directed with regard to railroad companies having any conditions for the use of their road incorporated with their land grants, until the courts shall have settled it.

Very respectfully, your obedient servant,

S. F. PHILLIPS,  
*Solicitor General.*

Approved June 30, 1874.

GEO. H. WILLIAMS,  
*Attorney General.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 85. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 10, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT authorizing the Secretary of War to sell unserviceable ordnance stores, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the Secretary of War be, and he is hereby, authorized and directed to be caused to be sold, in such manner and at such times and places, and in such quantities, as shall most conduce to the interest of the United States, all obsolete and unserviceable ammunition and leaden balls, and the surplus of pig-lead in excess of two thousand tons now stored in the various arsenals of the United States, and to cause the proceeds of such sale, after paying all costs and expenses of breaking up, and preparing said ammunition for sale, and all the necessary expenses of such sale, including the cost of transportation to the place of sale, to be covered into the Treasury of the United States with full accounts of said expenses.*

*Approved June 22, 1874.*

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II..AN ACT authorizing the Secretary of War to deliver certain cannon to the municipal authorities of Lexington, Massachusetts, for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to deliver to the municipal authorities of Lexington, Massachusetts, ten pieces of condemned cannon, to be used for monumental purposes in commemoration of the capture of Fort Mifflin on the nineteenth day of April, seventeen hundred and fifty-five.*

*Approved June 22, 1874.*

In my opinion there can be no question that the first are *included* within, and the third *excluded* from, the operation of the act of June 16, 1874, quoted above. The third class is a very small one, and probably exists by inadvertence of the legislature; but as Congress has limited its above prohibition to cases of grants "upon any [other] conditions *for the use of such road*," these, having no such condition attached, are not included.

I am of the opinion that cases under the second class are *included* within the prohibition. Indeed, this is the only class upon which the act has any *effective* operation; for the first class is already excluded from payment by the very acts which grant the land; as has been recognized heretofore by the Department of War.

A consideration of the passage above quoted brings me to the conclusion that it was the intention of Congress to make no appropriation at present for any case where the original grant *may have* left to them control of the question; *and further*, by a comprehensive expression, to remit all questions as to the extent of that control to the Court of Claims. Congress has said, as it were: Waiving all question of the obligation of the United States to pay companies whose land grants contain any condition for the use of their road until a decision by the Court of Claims, we hereby direct that no part of this appropriation shall be used to pay such claims. It seems to me that in so doing Congress has only resorted to a method of raising and deciding such questions that is usual amongst parties to business transactions controlled by rules of law that are obscure.

In the mean time, what the Quartermaster General has to do is to *maintain the issue* which Congress has directed with regard to railroad companies having any conditions for the use of their road incorporated with their land grants, until the courts shall have settled it.

Very respectfully, your obedient servant,

S. F. PHILLIPS,

*Solicitor General.*

Approved June 30, 1874.

GEO. H. WILLIAMS,

*Attorney General.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 85.

WAR DEPARTMENT.  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 10, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I. AN ACT authorizing the Secretary of War to sell unserviceable ordnance stores, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the Secretary of War be, and he is hereby, authorized and directed to be caused to be sold, in such manner and at such times and places, and in such quantities, as shall most conduce to the interest of the United States, all obsolete and unserviceable ammunition and leaden balls, and the surplus of pig-lead in excess of two thousand tons now stored in the various arsenals of the United States, and to cause the net proceeds of such sale, after paying all costs and expenses of breaking up and preparing said ammunition for sale, and all the necessary expenses of such sale, including the cost of transportation to the place of sale, to be covered into the Treasury of the United States with full accounts of said expenses.*

*Approved June 22, 1874.*

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II. AN ACT authorizing the Secretary of War to deliver certain condemned ordnance to the municipal authorities of Lexington, Massachusetts, for monumental purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to deliver to the municipal authorities of Lexington, Massachusetts, ten pieces of condemned brass cannon, to be used for monumental purposes in commemoration of the battle of Lexington on the nineteenth day of April, seventeen hundred and seventy-five.*

*Approved June 22, 1874.*

III..AN ACT for the transfer of twenty condemned bronze cannon for the erection of a statue to the late Major General George Gordon Meade.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to transfer to the Fairmount Park Association (a corporation created by the laws of Pennsylvania) twenty condemned bronze cannon, to be used by the said association for the erection of a bronze equestrian statue to the late Major General George Gordon Meade within the limits of the city of Philadelphia.*

*Approved June 22, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 86. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 10, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT extending the right of way heretofore granted to the Allegheny Valley Railroad Company through the arsenal grounds at Pittsburgh, Pennsylvania.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Allegheny Valley Railroad Company be, and it is hereby, authorized to extend its tracks over and occupy the ground between the present track and the Allegheny River where said track, under the act approved February fourteenth, eighteen hundred and fifty-three, was laid through the grounds of the United States at and near the Allegheny Arsenal, in the county of Allegheny, in the State of Pennsylvania: *Provided,* That the mode and purpose of occupation shall first be submitted to and approved by the Secretary of War; and the value of the right of way herein granted, as fixed by a board of Army officers as the Secretary of War may detail to make such valuation, shall be paid into the Treasury before occupation in pursuance of this act.

*Approved June 23, 1874.*

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II..AN ACT to confirm the purchase of a portion of the site of Fort Houston, at Nashville, Tennessee, and to provide for the donation of the same to the Fisk University for educational purposes; also to confirm in the purchase of certain land at Fort Hamilton, New York.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the purchase by the United States, on the twenty-first day of August, eighteen hundred and sixty-five, from Russell Houston, of certain land consisting of about three and one-fourth acres, situate in the city of Nashville, Tennessee, with the buildings thereon standing, and being the same premises described in a deed of said date from said Houston to the Chief Engineer of the Army, in trust for the United States, recorded in book thirty-five, page two hundred and forty-one, in the register's office of Davidson



County, Tennessee, be, and the same hereby is, ratified, sanctioned, and confirmed, so that the said purchase, and the said deed thereupon executed, shall have the same legal validity and effect as if the same had been by a previous act of Congress specifically authorized.

SEC. 2. That the Secretary of War be, and he hereby is, authorized and directed to grant and convey to the Fisk University of Nashville, Tennessee, all the right, title, interest, and estate of the United States in and to said tract of land for educational purposes: *Provided*, That no further expense relative thereto shall be incurred by the United States: *And provided further*, That the trustees of the said Fisk University be, and they are hereby, authorized to sell and dispose of the above-described property at their discretion, and to use the proceeds elsewhere for educational purposes in connection with the said Fisk University.

SEC. 3. That the purchase, by order of the Executive Department, under an authority supposed to be conferred by the act of February twentieth, eighteen hundred and sixty-two, making appropriations for the construction, and so forth, of certain fortifications, and so forth, of certain lands at Fort Hamilton, New York, consisting of about twenty-one acres, as a site for additional batteries, and conveyed to the United States by deed of Julia Delaplaine, of September ninth, eighteen hundred and sixty-two, which said deed has been pronounced by the Attorney General, by opinion of November twenty-second, eighteen hundred and sixty-two, to vest a good and valid title in the United States, and upon which said land the said batteries have been duly constructed, be, and the same hereby is, confirmed.

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 87. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
Washington, July 10, 1874.

The following Acts of Congress are published for the information and government of all concerned:

I...AN ACT to authorize and provide for the construction of a substantial iron and masonry bridge and of a causeway across the Anacostia, or Eastern Branch of the Potomac River, at or near the site of the present Navy-Yard bridge.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to cause to be constructed across the Anacostia River, at or near the site of the present Navy-Yard bridge, in the District of Columbia, a substantial iron and masonry bridge and causeway; and the sum of one hundred and forty-six thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the construction of said bridge: *Provided,* That the said Secretary shall construct a bridge upon such plan as shall cost no more than the amount herein appropriated: And no part of this appropriation shall be paid out of the Treasury until contracts shall have been entered into with responsible parties and with good and sufficient sureties, to be approved by the Secretary of War, for the construction and completion of said bridge, including the masonry, iron work, and causeway, at a cost not to exceed one hundred and forty-six thousand dollars: *And provided also,* That the said bridge shall be so constructed as not to interfere with the usual navigation above said bridge.

*Approved June 22, 1874.*

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II...AN ACT to authorize the construction of a bridge across the Mississippi River at or near the city of La Crosse, in the State of Wisconsin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Milwaukee and Saint Paul Railway Company may construct and maintain a bridge across the Mississippi River at a point heretofore selected by said company between the county of La Crosse, in the State of Wisconsin, and the county of Houston, in the State of Minnesota: *Provided,* That the Secretary of War shall convene a board of Engineer officers, whose duty it shall be to ascertain and report whether a bridge at the location selected by said

company can be constructed and maintained without material interference with the security and convenience of navigation of said river at that point, and shall also ascertain and report what accessory works it will be necessary to construct and maintain to secure the best practicable straight channel-way for navigation of said river at and near that point; the board shall further determine the necessary height of said bridge, the location of its piers, and make such recommendations for the security and convenience of navigation as may be deemed essential and proper; and that upon the approval of the report and recommendations of the Board by the Secretary of War, the said company, upon being so notified, may proceed to construct said bridge in accordance with said report and recommendations, subject to the provisions and limitations of the act entitled "An Act to authorize the construction of a bridge across the Mississippi River at or near the town of Clinton, in the State of Iowa, and other bridges across said river, and to establish them as post-roads," approved April first, eighteen hundred and seventy-two: *And provided further*, That said company shall construct and maintain all the accessory works found to be necessary, as hereinbefore provided, for the security and convenience of navigation, at their own expense, and subject to such supervision as the Secretary of War may prescribe, and that until the said works shall have been constructed to the satisfaction of the Secretary of War, and are approved by him, the superstructure of the bridge shall not be commenced: *And provided further*, That this act shall not be so construed as to relieve said company from the provisions of any existing laws, except as to the location and height of said bridge: *And provided further*, That said company shall not charge more than three dollars a car for each freight-car transported across said bridge.

*Approved June 22, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 88. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 10, 1874.

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT to authorize the sale of the military reservation of Fort Reynolds, in Colorado Territory, and the Government buildings thereon.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and is hereby, authorized and empowered to transfer to the custody and control of the Secretary of the Interior, for disposition for cash, according to the existing laws of the United States relating to the public lands, after appraisement, to the highest bidder, and at not less than the appraised value nor at less than one dollar and twenty-five cents per acre, the United States military reservation of Fort Reynolds, in Colorado Territory, containing about twenty-three square miles, as set apart and declared by the President on June twenty-second, eighteen hundred and sixty-eight, including all the buildings heretofore erected by the United States and now being thereon, (the said reservation and buildings being no longer needed for military purposes:) *Provided,* That the Secretary of the Interior shall cause the said land to be offered in tracts of not more than eighty acres each, and sold separately at public outcry, to the highest bidder, after giving not less than three months' public notice of the time and place of sale, in not less than three public newspapers printed and published in said Territory.

*Approved June 19, 1874.*

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II..AN ACT authorizing the Secretary of War to relinquish and turn over to the Interior Department parts of certain reservations in the Territory of Arizona as may be no longer required for military purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to relinquish and turn over to the Department of the Interior, for restoration to the public domain, such parts of what are known as the Fort Yuma, Fort Whipple, and Camp Date Creek reservations, in the Territory of Arizona, as may in the opinion of the Secretary of War be no longer required for military purposes:

*Provided*, That the Secretary of the Interior shall expose the same at public offering for sale to the highest bidder in the legal subdivision not greater than one quarter-section when the same can be made, and not below the minimum price provided by law. And any land left unsold at such offering to be held thereafter for disposal as other public lands. Notice of such public sale shall be published for sixty days in two newspapers each, one published in the capital of the Territory, and the other circulating nearest the place of sale: *Provided further*, That bona fide settlers upon any part of said lands prior to the declaration of the reservation lines shall have a right to acquire title to the lands so occupied by them at said time, not exceeding one hundred and sixty acres each, under the land-laws of the United States.

*Approved June 22, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 89. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 10, 1874.

The following Act and Joint Resolution of Congress are published for the information and government of all concerned:

I...AN ACT to authorize and direct the Secretary of War to reserve from sale ten thousand suits of old and disused Army uniform clothing, now in the Quartermaster's department of the Army, and to transfer the same to the National Home for Disabled Volunteer Soldiers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to reserve from sale ten thousand complete suits from the surplus stock of old and disused Army uniform clothing now in the Quartermaster's department of the Army, and to transfer the same to the National Home for Disabled Volunteer Soldiers, or, if complete suits are not on hand or cannot be supplied, the equivalent thereof in other clothing suitable for the disabled veterans of the National Home aforesaid.

*Approved June 18, 1874.*

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II...JOINT RESOLUTION authorizing the issue of clothing to certain enlisted men of the Army.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to issue to the enlisted men of company I, second regiment United States Cavalry; company H, ninth regiment United States Infantry; and company E, third regiment United States Cavalry, clothing in lieu of, and equal in amount to, that lost by them or rendered unfit for further use by their efforts to extinguish and prevent the spread of the fire which occurred at Fort Sanders, Wyoming Territory, on the twenty-third day of April, eighteen hundred and seventy-three, as shown and recommended in the report of the board of survey

convened under special order numbered fifty-nine, headquarters Fort Sanders, Wyoming Territory, of date of April twenty-fourth, eighteen hundred and seventy-three.

*Approved June 19, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 90. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 14, 1874.

The following Executive Order and the explanatory letter from the Department of State are published for the information of the Army :

*By the President of the United States.*

#### EXECUTIVE ORDER.

Whereas it has been brought to the notice of the President of the United States that many persons holding civil office by appointment from him, or otherwise, under the Constitution and laws of the United States, while holding such Federal positions accept offices under the authority of the States and Territories in which they reside, or of municipal corporations under the charters and ordinances of such corporations, thereby assuming the duties of the State, Territorial, or municipal office at the same time that they are charged with the duties of the civil office held under Federal authority;

And whereas it is believed that, with few exceptions, the holding of two such offices by the same person is incompatible with a due and faithful discharge of the duties of either office; that it frequently gives rise to great inconvenience, and often results in detriment to the public service, and, moreover is not in harmony with the genius of the Government;

In view of the premises, therefore, the President has deemed it proper thus and hereby to give public notice that, from and after the 4th day of March, A. D. 1873, (except as herein specified,) persons holding any Federal civil office by appointment under the Constitution and laws of the United States will be expected, while holding such office, not to accept or hold any office under any State or Territorial government, or under the charter or ordinances of any municipal corporation; and further, that the acceptance or continued holding of any such State, Territorial, or municipal office, whether elective or by appointment, by any person holding civil office as aforesaid, under the Government of the United States, other than judicial offices under the Constitution of the United States, will be deemed a vacation of the Federal office held by such person, and will be taken to be, and will be treated as, a resignation by such Federal officer of his commission or appointment in the service of the United States.

The offices of justices of the peace, of notaries public, and of commissioners to take the acknowledgment of deeds, of bail, or to administer oaths, shall not be deemed within the purview of this order, and are excepted from its operation, and may be held by Federal officers.

The appointment of deputy marshal of the United States may be conferred upon sheriffs or deputy sheriffs. And deputy postmasters, the emoluments of whose office do not exceed six hundred dollars per annum, are also excepted from the operations of this order, and may accept and hold appointments under State, Territorial, or municipal authority, provided the same be found not to interfere with the discharge



of their duties as postmaster. Heads of Departments and other officers of the Government who have the appointment of subordinate officers are required to take notice of this order, and to see to the enforcement of its provisions and terms within the sphere of their respective Departments or offices, and as relates to the several persons holding appointments under them, respectively.

By order of the PRESIDENT:

HAMILTON FISH,  
*Secretary of State.*

WASHINGTON, *January 17, 1873.*

DEPARTMENT OF STATE,  
WASHINGTON, *January 28, 1873.*

Inquiries having been made from various quarters as to the application of the Executive Order, issued on the 17th January, relating to the holding of State or municipal offices by persons holding civil offices under the Federal Government, the President directs the following reply to be made:

It has been asked whether the order prohibits a Federal officer from holding also the office of an alderman or of a common councilman in a city, or of a town councilman of a town or village, or of appointments under city, town, or village governments. By some it has been suggested that there may be distinction made in case the office be with or without salary or compensation. The city or town offices of the description referred to, by whatever names they may be locally known, whether held by election or by appointment, and whether with or without salary or compensation, are of the class which the Executive Order intends not to be held by persons holding Federal offices.

It has been asked whether the order prohibits Federal officers from holding positions on boards of education, school committees, public libraries, religious or eleemosynary institutions incorporated or established or sustained by State or municipal authority. Positions and service on such boards or committees, and professorships in colleges, are not regarded as "offices" within the contemplation of the Executive Order, but as employments or service in which all good citizens may be engaged without incompatibility, and in many cases without necessary interference with any position which they may hold under the Federal Government. Officers of the Federal Government may, therefore, engage in such service, provided the attention required by such employment does not interfere with the regular and efficient discharge of the duties of their office under the Federal Government. The head of the Department under whom the Federal office is held will, in all cases, be the sole judge whether or not the employment does thus interfere.

The question has also been asked with regard to officers of the State militia. Congress having exercised the power conferred by the Constitution to provide for organizing the militia, which is liable to be called forth to be employed in the service of the United States, and is thus, in some sense, under the control of the General Government, and is, moreover, of the greatest value to the public, the Executive Order of 17th January is not considered as prohibiting Federal officers from being officers of the militia in the States and Territories.

It has been asked whether the order prohibits persons holding office under the Federal Government being members of local or municipal fire departments; also whether it applies to mechanics employed by the day in the armories, arsenals, and navy yards, &c., of the United States. Unpaid service in local or municipal fire departments is not regarded as an office within the intent of the Executive Order, and may be performed by Federal officers, provided it does not interfere with the regular and efficient discharge of the duties of the Federal office, of which the head of the Department under which the office is held will, in each case, be the judge. Employment by the day as mechanics and laborers in the armories, arsenals, navy yards, &c., does not constitute an office of any kind, and those thus employed are not within the contemplation of the Executive Order. Master-workmen, and others who hold appointments from the Government, or from any Department, whether for a fixed time or at the pleasure of the appointing power, are embraced within the operation of the order.

By order of the PRESIDENT:

HAMILTON FISH,  
*Secretary of State.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 91. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, July 14, 1874.*

So much of Paragraph 1151, Regulations for the Army, amended by General Orders No. 2, Adjutant General's Office, 1865, as requires metallic scales and all metallic hat and cap ornaments to be borne on the return while fit for service, and to be charged to the men in whose use they are when lost or destroyed by their fault, is rescinded. Such articles, and all metallic ornaments pertaining to the uniform of the Army, will be issued to the soldiers and charged to them as other articles of clothing are issued and charged.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 92. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, July 20, 1874.*

Congress having at its last session re-enacted the law upon which Paragraph 1426, Revised U. S. Army Regulations, 1863, was founded, the attention of all officers is called to the requirements of said Paragraph directing the rendition of certain bi-monthly reports to the Chief of Ordnance, from which instructions may be issued to the armories to correct defects in manufactures.

To meet the practical requirements of the Regulation as far as regards the new pattern arms and ammunition, blank forms have been prepared and will be issued by the Chief of Ordnance to all officers supplied with such arms and ammunition, to whom reports will be rendered promptly in pursuance of said Regulation.

The reports on Infantry equipments heretofore rendered to the Chief of Ordnance quarterly will, hereafter, be rendered bi-monthly, using the quarterly forms now issued by the Chief of Ordnance until a supply of new forms is provided.

The old form of monthly reports on breech-loading arms and ammunition may be discontinued from this date.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 93.

WAR DEPARTMENT.  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 21, 1874.

I.. The following-named cadets, graduates of the Military Academy, are hereby appointed in the Army of the United States, with the rank indicated below, to date from June 17, 1874 :

*Corps of Engineers.*

1. Cadet Thomas W. Symons, to be Second Lieutenant, *vice* Bergland, promoted.

*First Regiment of Cavalry.*

23. Cadet Charles C. Norton, to be Second Lieutenant, *vice* Hogan, deceased, (Company "C.")

*Second Regiment of Cavalry.*

22. Cadet Frederick W. Sibley, to be Second Lieutenant, *vice* Augur, promoted, (Company "E.")

*Fourth Regiment of Cavalry.*

19. Cadet Harrison G. Otis, to be Second Lieutenant, *vice* Budd, promoted, (Company "M.")

*Seventh Regiment of Cavalry.*

25. Cadet Luther R. Hare, to be Second Lieutenant, *vice* Aspinwall, dropped for desertion, (Company "K.")

*Ninth Regiment of Cavalry.*

41. Cadet J. Hansell French, to be Second Lieutenant, *vice* Gerhard, promoted, (Company "G.")

*First Regiment of Artillery.*

2. Cadet Arthur Murray, to be Second Lieutenant, *vice* Howes, resigned, (Company "B.")

3. Cadet Henry M. Andrews, to be Second Lieutenant, *vice* Robinson, cashiered, (Company "C.")

6. Cadet Frank S. Rice, to be Second Lieutenant, *vice* Merrill, promoted, (Company "E.")



7. Cadet John T. Honeycutt, to be Second Lieutenant, *vice* King, promoted, (Company —.)

9. Cadet John P. Wissar, to be Second Lieutenant, *vice* Deary, resigned, (Company "I.")

10. Cadet Joseph S. Oyster, to be Second Lieutenant, *vice* Merriman, mustered out of service, (Company "M.")

*Second Regiment of Artillery.*

12. Cadet Albert H. Mellen, to be Second Lieutenant, *vice* Eastman, promoted, (Company "H.")

14. Cadet Wright P. Edgerton, to be Second Lieutenant, *vice* Fell, cashiered, (Company "M.")

*Fourth Regiment of Artillery.*

4. Cadet Montgomery M. Macomb, to be Second Lieutenant, *vice* Eckhart, honorably discharged, (Company "C.")

5. Cadet James L. Wilson, to be Second Lieutenant, *vice* Cranston promoted, (Company "M.")

8. Cadet George L. Anderson, to be Second Lieutenant, *vice* Hamilton, deceased, (Company "G.")

11. Cadet Oriu B. Mitcham, to be Second Lieutenant, *vice* Tillman, transferred to the Corps of Engineers, (Company "H.")

13. Cadet Clarence Deems, to be Second Lieutenant, *vice* Holden, transferred to the Corps of Engineers, (Company "F.")

*First Regiment of Infantry.*

37. Cadet Marion P. Maus, to be Second Lieutenant, *vice* Jennings, promoted, (Company "E.")

*Second Regiment of Infantry.*

16. Cadet Edmund K. Webster, to be Second Lieutenant, *vice* Gallagher, dismissed, (Company "D.")

21. Cadet Charles W. Rowell, to be Second Lieutenant, *vice* Egbert, promoted, (Company "F.")

*Sixth Regiment of Infantry.*

39. Cadet Theodore H. Eckerson, to be Second Lieutenant, *vice* Bronson, promoted, (Company "A.")

*Seventh Regiment of Infantry.*

34. Cadet Edward E. Hardin, to be Second Lieutenant, *vice* Burnett, promoted, (Company "E.")

*Ninth Regiment of Infantry.*

15. Cadet Edgar B. Robertson, to be Second Lieutenant, *vice* Smallwood, resigned, (Company "A.")

33. Cadet Louis A. Craig, to be Second Lieutenant, *vice* Carpenter, promoted, (Company "H.")

*Eleventh Regiment of Infantry.*

17. Cadet Russell Thayer, to be Second Lieutenant, *vice* Taylor, promoted, (Company —.)

40. Cadet William H. Wheeler, to be Second Lieutenant, *vice* Matile, promoted, (Company "C.")

*Twelfth Regiment of Infantry.*

29. Cadet William L. Geary, to be Second Lieutenant, *vice* Hurst, promoted, (Company "F.")

*Thirteenth Regiment of Infantry.*

13. Cadet George R. Cecil, to be Second Lieutenant, *vice* Birnie, promoted, (Company "E.")

30. Cadet William S. Davies, to be Second Lieutenant, *vice* Blunt, promoted, (Company "I.")

*Fourteenth Regiment of Infantry.*

33. Cadet Charles F. Lloyd, to be Second Lieutenant, *vice* Buchanan, promoted, (Company —.)

*Sixteenth Regiment of Infantry.*

35. Cadet Charles R. Tyler, to be Second Lieutenant, *vice* Morrison, promoted, (Company "F.")

*Seventeenth Regiment of Infantry.*

32. Cadet Henry P. Walker, to be Second Lieutenant, *vice* McTaggart, promoted, (Company "E.")

*Eighteenth Regiment of Infantry.*

20. Cadet Charles H. Cabaniss, jr., to be Second Lieutenant, *vice* Canton, dismissed, (Company "D.")

27. Cadet George L. Turner, to be Second Lieutenant, *vice* Hinton, promoted, (Company "I.")

*Nineteenth Regiment of Infantry.*

31. Cadet Christian C. Hewitt, to be Second Lieutenant, *vice* Cook, appointed Regimental Adjutant, (Company "K.")

*Twentieth Regiment of Infantry.*

28. Cadet Alfred Reynolds, to be Second Lieutenant, *vice* Bannister, promoted, (Company —.)

*Twenty-first Regiment of Infantry.*

24. Cadet Charles E. S. Wood, to be Second Lieutenant, *vice* Jocelyn, appointed First Lieutenant, (Company "D.")

26. Cadet Willis Wittich, to be Second Lieutenant, *vice* Pierce, promoted, (Company "F.")

36. Cadet Charles A. Williams, to be Second Lieutenant, *vice* the Regimental Quartermaster, to be appointed, (Company —.)

II..The General Regulations (paragraph 181) allow three months' leave of absence to the graduates of the Military Academy on entering service. In accordance with this regulation, all the graduates above named will report in person at their proper stations on the 30th of September next.

III..The graduates will, on receipt of this order, immediately report by letter to the commanding officer of their respective regiments, who will assign to companies those who have not been so assigned by this order. If the station of the regimental commander be not known, their reports will be forwarded, under cover, to the Adjutant General for transmittal.

IV..In advance of the performance of the journeys under the foregoing orders, each graduate will be paid two months' pay.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 94. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, July 25, 1874.*

Brooms and scrubbing-brushes for the use of troops will hereafter be purchased from the appropriation for clothing, camp and garrison equipage, and will be accounted for as articles of garrison equipage on the return of clothing, camp and garrison equipage.

Company Commanders and Post Quartermasters will hereafter include brooms and scrubbing-brushes when making their estimates for garrison equipage.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
 No. 96. } ADJUTANT GENERAL'S OFFICE,  
 Washington, July 27, 1874.

The pay status of officers absent from duty is fixed by the Act approved March 3, 1863, and the Acts amendatory thereof, approved June 20, 1864, and May 8, 1874, promulgated respectively in War Department General Orders No. 73 of 1863, No. 216 of 1864, and No. 39 of 1874.

For convenience of reference in connection with the subject of this order these Acts are republished, as follows:

1. SECTION 31. *And be it further enacted*, That any officer absent from duty with leave, except for sickness or wounds, shall, during his absence, receive half of the pay and allowances prescribed by law, and no more; and any officer absent without leave shall, in addition to the penalties prescribed by law or a court martial, forfeit all pay or allowances during such absence. *Approved March 3, 1863.*

2. SECTION 11. *And be it further enacted*, That the thirty-first section of an act entitled "An Act for enrolling and calling out the national forces, and for other purposes," approved March 3, 1863, be, and the same is hereby, so amended as that an officer may have, when allowed by order of his proper commander, leave of absence for other cause than sickness or wounds, without deduction from his pay or allowances: *Provided*, That the aggregate of such absence shall not exceed thirty days in any one year. *Approved June 20, 1864.*

3. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That all officers on duty at any point west of a line drawn north and south through Omaha City, and north of a line drawn east and west upon the southern boundary of Arizona, shall be allowed sixty days' leave of absence without deduction of pay or allowances: *Provided*, That the same be taken but once in two years: *And provided further*, That the leave of absence may be extended to three months, if taken once only in three years; or four months, if taken once only in four years. *Approved May 8, 1874.*

The substantial effect of these acts is set forth in the following resumé of the official constructions thereof:

#### I. ABSENCE WITHOUT LEAVE.

*Under the act numbered 1.*—An officer absent without leave is, while so absent, entitled to no pay or allowances whatever.

#### II. ABSENCE WITH LEAVE ON ACCOUNT OF SICKNESS OR WOUNDS.

*Under the acts numbered 1 and 2.*—An officer absent with leave on account of sickness or wounds is, for the time so absent, entitled to receive full pay.

ABSENCE WITH LEAVE FOR OTHER CAUSES THAN SICKNESS OR WOUNDS.

III. UNDER ACT (OF JUNE 20, 1861) NUMBERED 2.

Though the benefits of this act may, as regards absence with leave in and on account of any one particular leave year, be claimed by all officers wherever serving, it is treated in this section with sole reference to the class of officers to whom it exclusively applies, to wit: those serving *without* the limits prescribed in act numbered 3.

1. Its effect in these cases is to allow an officer full pay for 30 days of his absence with leave during any one "leave year," and half-pay for each and every additional day's absence in the same year.

2. The leave year contemplated in this act is estimated from June 20th of one year to June 20th of the next year. (2d Comptroller's decision of April 13, 1868.)

3. In ascertaining the time for which half-pay is due, each and every day's absence during the leave year must be estimated.

4. The benefits of this act as regards any particular leave year must be enjoyed *within* that year or not at all.

IV. UNDER ACT (OF MAY 8, 1874) NUMBERED 3.

1. This act applies only to such officers as may, at commencement of leave of absence, be actually on duty within the limits prescribed by the act. The entire city of Omaha will be held to be within said limits.

2. Its benefits extend only to absence subsequent to the date of its approval.

3. Its effect is, in the cases of officers contemplated therein, to make the benefits of act numbered 2 cumulative through a period of several successive leave years, not exceeding four. So that to a leave of absence taken in any leave year, there may be applied the unenjoyed benefits attached to that year, and, in addition, so much of the benefits of one, two, or three leave years immediately preceding it as were not enjoyed within those respective years, or any of them; it being understood that if the portion of the leave for which full pay is claimed covers parts of two leave years, both years must enter into the calculation of time to which the benefits claimed attach; and, further, that the benefits attaching to any leave year cannot, by anticipation, be applied to absence taken before such year has been entered upon.

4. The "*leave years*" referred to in the foregoing paragraph as making up the leave periods of two, three, or four years contemplated in this act,

will, for convenience and uniformity of practice, be estimated, as in the case of act numbered 2, upon the basis of the date of June 20.

5. It will be assumed, of course, that full pay has been received for that part of the absence, during any of the leave years concerned, for which full pay was allowable under the law in force for the time.

#### V. ESTIMATION OF TIME FOR ABSENCE.

1. The act numbered 3 contemplates a basis of months for the estimation of periods of absence with full pay. The computation of time for all pay purposes is also made upon the basis of months—an officer receiving the same pay for each month of the year, whether it be one of 28, 29, 30, or 31 days. It is therefore held that, as to absence after May 8, 1874, under either of the acts numbered 2 and 3, the time for which full pay may be enjoyed, should be estimated upon the same basis of calendar months instead of periods of days.

2. Under this system, leave for one month commencing on the first day of any calendar month would expire with the last day of the month, whatever its number of days; commencing on an intermediate day of a month, would expire with the day preceding the same day in the next month. And the same of any number of months.

VI. The following regulations, connected with the foregoing, having been approved by the Secretary of War, are announced for the future guidance of all concerned:

1. To entitle an officer to full pay during absence on account of sickness or wounds, he must exhibit to the paymaster a competent order granting him sick leave for the time charged, or the formal acceptance by this Office of a certificate of disability covering the time in question. In the latter case the paymaster will certify on the officer's pay voucher that he has seen the Adjutant General's official acceptance of a certificate of disability covering the time charged for. Payments made in violation of these requirements will be disallowed and charged to the paymaster.

2. Leave of absence will in future be granted for one month, one month and ten days, two months, three months, instead of thirty, forty, sixty, and ninety days as heretofore. The leave in all cases will take effect on the date the officer departs from his proper station. The date of expiration of leave will be ascertained upon the basis indicated in Section V hereof, and the examples thereunder.

Verbal permits for *less than 24 hours* are not viewed as leaves of absence.



3. Orders granting leave of absence will indicate the officer's station.

4. Post, regimental, department, and division returns must indicate, in the case of each officer borne thereon, every absence of whatever duration during the time, and the authority therefor, whether verbal or written.

5. Officers absent on certificate of disability should so arrange that the certificates may cover entire calendar months, and not monthly periods commencing with intermediate days of a month.

The acceptance by this Office will then cover time as paid for by the Pay Department.

6. In the cases of officers absent from their stations, paymasters will require evidence of proper authority for such absence, and will decline payment unless the same can be produced.

7. The pay account of every officer on leave should, throughout the period of his absence, exhibit his station at commencement of leave, the date of such commencement, the authority for his absence, and, in case of the account for the month in which the absence terminates, the date of return to duty.

8. In the case of officers on leave under the act numbered 3, who may claim full pay for any part of their absence, the paymaster will ascertain the time for which so entitled according to the rules announced in Section IV hereof, and the examples thereunder. His calculation will be based on the data contained in the monthly lists of absentees, issued from this Office, or, if they do not afford the information, upon the basis of the officer's statement, on the voucher, of the time for which he has been absent during each of the leave years comprehended in the period of two, three, or four years, (inclusive of that within which time covered by his voucher falls,) for which he claims the benefit of the act.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

## MEMORANDUM AND EXAMPLES UNDER SECTIONS III, IV, V, VI.

1. (SEC. III.) An officer has, since June 20, 1873, been absent for periods of 3, 7, and 10 days—in all, 20 days. In case of further absence during the same leave year, ending June 20, 1874, he could claim full pay for 10 days only.

2. (SEC. III.) A two months' leave of absence commenced June 1, 1874. The officer has enjoyed no other leave within the year ending June 20, 1874. He is entitled to full pay for the remainder of the leave year, 19 days, to June 20, 1874. As a new leave year commences June 20, 1874, he may receive full pay for the month ending with July 19, 1874. For the remaining portion of his leave, and for further absence prior to June 20, 1875, he would be subject to deduction of half-pay.

It will be seen from the foregoing that, under the act of June 20, 1864, leave of absence may be so taken (to commence May 20) as to enable the officer to enjoy two months' continuous absence with full pay; each month being one of a different leave year. (2d Comp. decision, March 6, 1872.)

3. (PAR. 3, SEC. IV.) An officer stationed at Fort McPherson takes six months' leave, commencing August 1, 1874, in the leave year ending June 20, 1875. He has had no previous absence within that leave year nor during the three leave years last preceding it. He is entitled to full pay for four months, August 1 to November 30, 1874, inclusive, all within the same leave year. His calculation of time for future benefits under either act (2 or 3) will commence with June 20, 1875.

4. (PARS. 3 AND 5, SEC. IV.) Supposing him to have enjoyed 10 days absence in the leave year ending June 20, 1872, 3 months in that ending June 20, 1873, 5 days and 7 days in that ending June 20, 1874, and 3 days in that ending June 20, 1875. He would then be entitled, on his leave commencing August 1, 1874, as stated, to full pay for four months less 10 days + 1 month + 5 days + 7 days + 3 days, or to 4 months — 1 month 25 days = 2 months 5 days from August 1, 1874.

5. (PARS. 3 AND 5, SEC. IV.) Suppose the leave to commence August 1, 1876, and the officer to have enjoyed no leave in the year ending June 20, 1874, 10 days in that ending June 20, 1875, two months in that ending June 20, 1876, and no prior leave in the year ending June 20, 1877. He would be entitled to full pay for 4 months — 2 months and 10 days = 1 month 20 days, commencing August 1, 1876.

6. (PROVISO IN PAR. 3, SEC. IV.) If in the third example the leave instead of commencing August 1, 1874, were to commence May 1, 1875, the four months with full pay would extend into the following leave year

ending June 20, 1876, which, under the language of the act, "but once in four years," would then be included in the period for which the four months' full pay was granted.

The estimation of time for future benefits would then have to commence with June 20, 1876.

7. (SEC. IV.) If in the same example the six months' leave were to commence February 1, 1875, the four months, with full pay (expiring May 31, 1875) would be enjoyed all within the same leave year. The remainder of the leave would, however, extend (to July 31, 1875) into the next leave year, commencing June 20, 1875, from which date, for one month, full pay would be chargeable; the absence after said date being in a new leave year.

The estimation of time for further benefits would then have to commence with June 20, 1876.

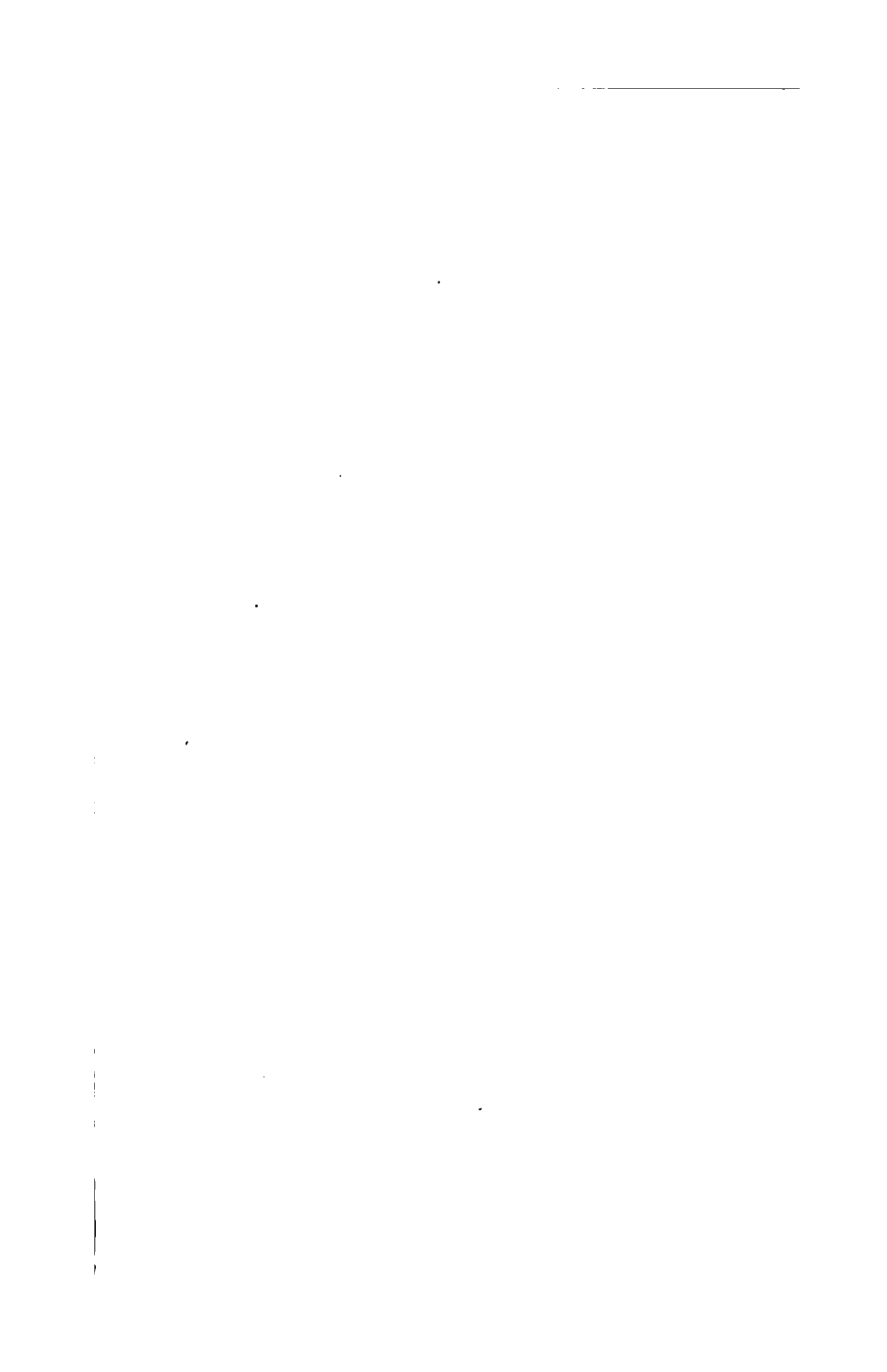
It will be seen from the foregoing that leave may be so taken (to commence February 20) as to enable an officer entitled to four months full pay, under act numbered 3, to enjoy five months' continuous absence with full pay; the fifth month being one of a leave year wholly distinct from the four-year period, within and for which the four months' absence with full pay was enjoyed.

8. (SEC. V.) One month's leave commencing February 1 would expire with February 28 or 29; commencing February 28 would expire with March 27; commencing March 1 would expire with March 31; commencing January 10 would expire with February 9; commencing June 1 would expire June 30; commencing April 21 would expire with May 20. If the status of full pay applied to the absence, full pay for a month of 30 days would be enjoyed in each case whether the month of time covered 28, 29, 30, or 31 days.

If the half-pay status prevailed, the deduction would likewise be of half-pay for a month of 30 days.

Absence for any number of months would be calculated in like manner.

9. (SEC. VI.) Where leaves are granted for a less period than one month, as for 10, 15, or 20 days, full pay or half-pay, as the case may be, will be calculated for the actual number of days. In aggregating such absences 30 days will be regarded as counting for a month's absence.





GENERAL ORDERS }  
 No. 96.

WAR DEPARTMENT,  
 ADJUTANT GENERAL'S OFFICE.  
*Washington, July 27, 1874.*

I..The Court of Inquiry of which Major *John Green*, 1st Cavalry, is President, instituted by Special Orders No. 43, February 27, 1874, from this office, at the request of Captain *W. H. Bell*, Commissary of Subsistence, to inquire into a deficiency of public funds in the hands of Captain *Bell*, as exhibited in the report of an inspection of his money accounts made by Colonel *James A. Hardie*, Inspector General, May 29, 1873, has reported the following finding and opinion :

FINDING.

"After a thorough examination of all the papers and accounts of Captain *Bell*, the Court finds that the deficiency of eight hundred and sixty-four ~~fty~~ dollars (\$864.88) reported by Colonel *James A. Hardie*, Inspector General, did exist at the time of that inspection."

OPINION.

The Court is of opinion—

1. "That the deficiency occurred through the careless manner in which Captain *Bell* kept his accounts while Commissary of Subsistence during the time covered by this investigation."
2. "That there never has existed, at any time, any intention whatever on the part of Captain *Bell* to defraud the Government in any way, or to conceal from the proper accounting officers the fact that a difference existed between their accounts and his own."

II..The proceedings, finding, and opinion of the Court are, in the main, approved by the Secretary of War.

In view of these proceedings, and of the fact that Captain *Bell* has now made good to the United States the amount of his deficit, no trial of this officer by court martial will at this time be ordered.

It is to be regretted there should have been any occasion for this investigation, and it is hoped that Captain *Bell* will so conduct his business hereafter as to save himself and the Government from similar trouble and expense.

III..The Court of Inquiry of which Major *John Green*, 1st Cavalry,  
is President is dissolved.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 97.

WAR DEPARTMENT.

ADJUTANT GENERAL'S OFFICE,

Washington, July 28, 1874.

The following Act of Congress is published for the information and government of all concerned :

AN ACT for the relief of J. Scott Payne, second lieutenant Sixth United States Cavalry, late first lieutenant Fifth United States Cavalry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That upon the occurrence of a vacancy in the grade of first lieutenant in the Fifth United States Cavalry the President is hereby authorized to appoint J. Scott Payne, formerly first lieutenant in the said regiment and now second lieutenant of the Sixth United States Cavalry, to the grade of first lieutenant in said Fifth Regiment United States Cavalry, with date of commission and relative rank in the Army held by him on the twelfth day of September, eighteen hundred and sixty-eight: *Provided,* That this act grants no back pay or additional pay in any manner whatever.

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
— No. 93. — }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 23, 1874.

The following Acts of Congress are published for the information and government of all concerned:

I..AN ACT for the relief of Charles W. Berry, late private of the thirty-sixth regiment Wisconsin volunteers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Adjutant General of the Army be, and he is hereby, directed to remove the charge of desertion from the name of Charles W. Berry, late private company E, thirty-sixth regiment of Wisconsin volunteers, in view of his wounds while in the service; and that the said Charles W. Berry shall be allowed and paid the back-pay, bounty, and additional bounty under the act of July twenty-eighth, eighteen hundred and sixty-six, due him, in the same manner and to the same extent as if the said charge of desertion had never been made, and his application therefor had been filed before the thirtieth day of January, eighteen hundred and seventy-three.

*Approved June 20, 1874.*

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II..AN ACT for the relief of Sheridan O. Bremmer, late a private of company E, eighteenth regiment Wisconsin infantry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Adjutant General is hereby authorized and directed to remove the charge of desertion against Sheridan O. Bremmer, late a private in company E, eighteenth regiment Wisconsin infantry volunteers, and grant him an honorable discharge; and the proper accounting officer is hereby authorized to audit and pay all claims for bounty and allowances which he would have been entitled to had no charge of desertion been made against him: *Provided,* That no pay or allowances shall be granted to this soldier for the time he was actually absent from his regiment by virtue of a supposed discharge.

*Approved June 20, 1874.*

## III..AN ACT for the relief of Peter J. Knapp.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to cause Peter J. Knapp, late a private in company H, fifth regiment Iowa infantry volunteers, to be honorably discharged and mustered out of the service, to date with the muster-out of his regiment, and to cause to be paid to him the full sum due him for back pay and allowances as a soldier of the company and regiment above named: Provided, That the Secretary of War shall be satisfied upon investigation that the agreement of the said Peter J. Knapp to join the enemy was made while the said Knapp was incarcerated in a rebel prison, and for the purpose of escaping from imminent peril of death from exposure and hunger, and with a view of escaping to the Union lines.*

*Approved June 22, 1874.*

## IV..AN ACT for the relief of Matthias Whitehead.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Adjutant General of the Army be, and he is hereby, directed to remove the charge of desertion from the name of Matthias Whitehead, late a private of company G, eighth regiment Tennessee volunteer infantry; and that the said Matthias Whitehead shall be allowed and paid the back pay due him to the thirty-first day of October, eighteen hundred and sixty-four, when he was ordered to return to duty, but he shall not be entitled to any bounty.*

*Approved June 22, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 99. }

WAR DEPARTMENT.

ADJUTANT GENERAL'S OFFICE,  
Washington, July 28, 1874.

The following Acts of Congress are published for the information and government of all concerned:

I..AN ACT for the relief of Susan D. Galloway.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proper accounting officer of the Treasury is hereby directed to cause to be paid to Susan D. Galloway, widow of Captain James L. Galloway, late of company E, First Florida cavalry, out of any money now appropriated or that may hereafter be appropriated for the support of the Army, the full pay and emoluments of a captain of cavalry from April twenty-sixth, eighteen hundred and sixty-four, to August thirty-first, eighteen hundred and sixty-five.

*Approved March 21, 1874.*

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II..AN ACT for the relief of the heirs of Seth Lamb.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed, out of any money in the Treasury not otherwise appropriated, to pay to Theodore L. Lamb, Mary M. Muldan, and Philena Kingsley, the sum of four hundred and ninety dollars, being in full of the claim of Seth Lamb, deceased, for boarding and quartering Captain Mott's Howitzer Corps, second regiment New York State militia, from the twenty-first of May to the first of June, eighteen hundred and sixty-one.

J. G. BLAINE,

*Speaker of the House of Representatives.*

MATT. H. CARPENTER,

*President of the Senate pro tempore.*

Received by the President April 13, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

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III..AN ACT for the relief of Selden Connor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Selden Connor, late lieutenant-colonel of the seventh regiment of Maine volunteer infantry, out of any money in the Treasury not otherwise appropriated,

the sum of two hundred dollars, or so much thereof as he shall prove to the satisfaction of the proper accounting officers of the Treasury Department that the horse was worth, for a horse shot and killed in eighteen hundred and sixty-three by order of the colonel of said regiment, while the said Selden Connor was absent from his regiment on detached duty.

*Approved June 19, 1874.*

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IV..AN ACT for the relief of Oliver P. Mason.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of seven hundred and eighty-seven dollars and fifty cents be, and the same is hereby, appropriated, out of any money not otherwise appropriated, for the payment of Oliver P. Mason for services rendered as assistant provost-marshal in the Department of Kansas; and the proper officers of the War and Treasury Departments are hereby authorized to pay the said sum to the said Oliver P. Mason or his legal representatives.*

*Approved June 23, 1874.*

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V..AN ACT for the relief of John J. Hayden.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to John J. Hayden, one hundred and fifty dollars, out of any money in the Treasury not otherwise appropriated, in full compensation for services rendered by him for the United States, in the year eighteen hundred and sixty-four, in the office of John H. Farquher, captain in the nineteenth regiment United States infantry, and mustering and disbursing officer at Indianapolis, Indiana, in relation to the draft-accounts of said State.*

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

*For the relief of—*

I..Victor Mylius.	XI..John W. Divine.
II..C. C. Spaid.	XII..Henry P. Ingram and John H. Askins.
III..William J. McIntyre.	XIII..George A. Bacon.
IV..Kerry Sullivan.	XIV..Isaac Riseden.
V..Robert Sutherland.	XV..John N. Newman.
VI..Alfred Fry.	XVI..William H. Plikenton.
VII..Samuel E. Rankin.	XVII..Reuben M. Pratt.
VIII..James M. True.	XVIII..James B. Thompson.
IX..Thomas Simms.	XIX..John Shelton.
X..Joseph C. Breckinridge.	

GENERAL ORDERS }  
No. 100.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, July 30, 1874.*

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT for the relief of Victor Mylius, of Macoupin county, Illinois.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Victor Mylius, late sergeant in the sixty-eighth regiment New York volunteers, out of any moneys in the Treasury not otherwise appropriated, the amount of pay and allowances of a second lieutenant of infantry from the seventeenth day of April to the sixteenth day of May, eighteen hundred and sixty-three, and the pay and allowances of a first lieutenant of infantry thereafter to the sixth day of June, eighteen hundred and sixty-five, less the amount received by him as a sergeant in said regiment for the period above named.

J. G. BLAINE,  
*Speaker of the House of Representatives.*  
MATT. H. CARPENTER,  
*President of the Senate pro tempore.*

Received by the President April 13, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

## II. .AN ACT for the relief of C. C. Spauld.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to C. C. Spauld the full pay and emoluments of a second lieutenant of company A, fourth cavalry regiment Illinois volunteers, from the third day of June, eighteen hundred and sixty-three, to the sixth day of February, eighteen hundred and sixty-four, deducting therefrom any sum received by him for services rendered during the said period as sergeant or otherwise in said company.

J. G. BLAINE,

*Speaker of the House of Representatives.*

MATT. H. CARPENTER,

*President of the Senate pro tempore.*

Received by the President June 4, 1874.

[NOTE BY THE DEPARTMENT OF STATE.—The foregoing act having been presented to the President of the United States for his approval, and not having been returned by him to the house of Congress in which it originated within the time prescribed by the Constitution of the United States, has become a law without his approval.]

## III. .AN ACT for the relief of William J. McIntyre.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William J. McIntyre, late a lieutenant in the eleventh Illinois infantry volunteers, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred and ninety-nine dollars and twenty cents, the same being the difference between the pay of a second lieutenant of infantry and a hospital steward from the seventh day of August, eighteen hundred and sixty-four, to the thirtieth day of October, eighteen hundred and sixty-four.

*Approved June 20, 1874.*

## IV. .AN ACT for the relief of Kerry Sullivan, of company G, fourteenth regiment New Hampshire volunteers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any

money appropriated, or hereafter to be appropriated, for the payment of the Army, to Kerry Sullivan, late private in company G of the fourteenth regiment of New Hampshire volunteers, commissioned a second lieutenant in said regiment of New Hampshire volunteers, the pay and emoluments of a second lieutenant of infantry from the fifth day of May, eighteen hundred and sixty-five, to the eighth day of July, eighteen hundred and sixty-five, the date of his discharge, as if said Kerry Sullivan had been mustered as a second lieutenant on the fifth day of May, eighteen hundred and sixty-five, first deducting whatever sum may have been paid said Kerry Sullivan as a private soldier during the period for which he is hereby allowed pay and emoluments as a second lieutenant of infantry.

*Approved June 20, 1874.*

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V..AN ACT for the relief of Robert Sutherland.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Paymaster General of the Army be, and he is hereby, directed to pay to Robert Sutherland, late second lieutenant fourth Arkansas cavalry volunteers, out of any money appropriated, or that may hereafter be appropriated, for the pay of the Army, the full pay and emoluments of a second lieutenant of cavalry from the thirtieth day of June to the sixth day of September, eighteen hundred and sixty-five.

*Approved June 20, 1874.*

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VI..AN ACT for the relief of Alfred Fry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money appropriated, or hereafter to be appropriated, for the payment of the Army, to Alfred Fry, late captain in the seventy-third regiment of Indiana volunteers, the pay and emoluments of a captain of infantry from the thirtieth day of August, eighteen hundred and sixty-three, the date of his commission, to the seventeenth day of May, eighteen hundred and sixty-five, the date that said Alfred Fry was mustered as captain, as if said Alfred Fry had been mustered as captain on the date of his commission, first deducting whatever sum may have been paid said Alfred Fry as lieutenant during the period for which pay is hereby allowed as captain.

*Approved June 20, 1874.*



## VII..AN ACT for the relief of Samuel E. Rankin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Paymaster General is hereby authorized and directed to pay to Samuel E. Rankin, late a first lieutenant of the ninth Tennessee cavalry regiment, the full pay and allowances of a first lieutenant of cavalry from the fifth day of October, eighteen hundred and sixty-five, to February thirteenth, eighteen hundred and sixty-six.

*Approved June 20, 1874.*

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## VIII..AN ACT for the relief of James M. True, late colonel of the sixty-second Illinois volunteer infantry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be paid to James M. True, late colonel of the sixty-second Illinois volunteer infantry, by the proper accounting officers, out of any money not otherwise appropriated, the compensation of colonel of infantry from the twentieth day of February, eighteen hundred and sixty-two, when his recruits were taken from him by order of the Secretary of War, to the tenth day of April, eighteen hundred and sixty-two, the day upon which he was mustered in as such.

*Approved June 20, 1874.*

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## IX..AN ACT for the relief of Thomas Simms, late a lieutenant in the seventy-sixth regiment New York volunteers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, directed to cause to be paid to Thomas Simms, late second lieutenant, company G, seventy-sixth regiment New York volunteer infantry, out of any money in the Treasury not otherwise appropriated, the sum of five hundred and ninety dollars, being the pay and emoluments of a second lieutenant for the period of six months, between the twenty-fifth day of December, eighteen hundred and sixty-two, and the first day of May, eighteen hundred and sixty-three.

*Approved June 20, 1874.*

X. AN ACT for the relief of Joseph C. Breckinridge for services in the Army of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Paymaster General is hereby directed to pay to Joseph C. Breckinridge the full pay and allowances of a first lieutenant of cavalry from the thirtieth day of August, eighteen hundred and sixty-one, to the fifth day of June, eighteen hundred and sixty-two, being the period during which he served as aide-de-camp on the staff of General William Nelson and General George H. Thomas prior to his muster into the United States service.

*Approved June 20, 1874.*

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XI. AN ACT for the relief of John W. Divine, late assistant surgeon of the eleventh regiment of Tennessee cavalry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of seven hundred and thirty-eight dollars and eighty-three cents, in full payment for services rendered, to John W. Divine, as assistant surgeon of the eleventh regiment of Tennessee cavalry from the eighth day of May, eighteen hundred and sixty-three, to the first day of October, eighteen hundred and sixty-three.

*Approved June 22, 1874.*

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XII. AN ACT for the relief of Henry P. Ingram and John H. Askins.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, directed to pay to H. P. Ingram, captain sixty-second regiment Illinois volunteers, and John H. Askins, second lieutenant sixty-second regiment Illinois volunteers, the salaries of their respective offices from the fifteenth day of January, eighteen hundred and sixty-two, to the tenth day of April, eighteen hundred and sixty-two.

*Approved June 22, 1874.*

endured the horrors and privations of Andersonville for a period of nearly seven months, escaping twice and being once run down and recaptured by hounds, but at the third attempt eluding his pursuers and reaching the Union lines at Atlanta, Georgia, after traveling for one whole month entirely by night; and whereas, his failure to be mustered was through no fault or neglect of his own, but solely by reason of his unavoidable detention as a prisoner of war, therefore—

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proper accounting officers of the Treasury be, and they are hereby, directed to pay the said James B. Thompson the pay and emoluments of a first lieutenant of infantry in active service from June sixth, eighteen hundred and sixty-four, to September nineteenth, eighteen hundred and sixty-four; and they are also authorized and directed to pay him the pay and emoluments of a captain of infantry in active service from September nineteenth, eighteen hundred and sixty-four, to March first, eighteen hundred and sixty-five, from which date his muster as an officer commences.

*Approved June 23, 1874.*

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XIX..AN ACT for the relief of Lieutenant John Shelton.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Paymaster General is hereby directed to pay to John Shelton, late first lieutenant company E, second North Carolina mounted infantry, out of any money appropriated for the pay of the Army, the full pay and allowance of a first lieutenant of infantry from the first day of September, eighteen hundred and sixty-three, to the sixteenth day of August, eighteen hundred and sixty-five, less the pay he received as a private of said company.

*Approved June 23, 1874.*

BY ORDER OF THE SECRETARY OF WAR :

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 101.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, August 1, 1874.*

In accordance with a decision of the accounting officers of the Treasury Department, General Orders No. 24, War Department, Adjutant General's Office, 1874, is revoked, and hereafter all money collected on account of ordnance and ordnance stores which in any manner whatever have been lost, stolen, damaged, or destroyed, will be covered into the Treasury to the credit of current appropriations to be designated by the Chief of Ordnance, and used for the replacement of the stores lost or stolen and the restoration of the damaged stores to serviceable condition.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 102. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, August 4, 1874.*

I..Paymasters are not authorized to make advance payments on account of actual "traveling expenses."

In case the station to which the officer is ordered is very remote, the transportation orders procurable under General Orders No. 69, current series, from this office, will be a sufficient substitute for the mileage in advance formerly authorized by General Orders No. 31, of 1869, and No. 2, of 1871.

II..Graduates of the Military Academy, after joining their first stations and, under General Orders No. 69, current series, presenting their accounts for actual traveling expenses, will be paid thereon a reasonable *estimate* of the actual expenses of travel from West Point to the station. The voucher and certificate in such cases will be modified to show that the account is estimated.

The two months' pay authorized to officers of this class, in advance of the journey, is intended to relieve the immediate wants connected therewith.

III..The occasional cases of officers ordered to change station from a status of duty, who pass therefrom to absence on account of sickness, and, in consequence, may actually travel from some point other than the old station, will be met by an estimate similar to that directed in Paragraph II, and under the same conditions.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 103. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, Aug. 5, 1874.

The limited appropriations available for the supply of small-arm ammunition, renders it imperatively necessary that the utmost economy, consistent with the interests of the service be practiced in its expenditure.

The following instructions are therefore published for the information and guidance of all concerned, and all orders heretofore issued not in accordance therewith, are hereby revoked:

1. Commanding officers charged with the instruction of recruits may use the blank cartridges at discretion during the first year's enlistment, and also at the rate of ten ball-cartridges per man per month for target practice.

2. All troops armed with the breech-loading rifle, carbine, or revolver will be allowed ten ball-cartridges per month for target practice; and every commanding officer of a post will name an officer to supervise the target practice, who will transmit to the Chief of Ordnance a report bi-monthly, with remarks as to any defects in the arm or the cartridge suggested by experience in the field or in the practice.

3. Guards on being relieved should not necessarily discharge their pieces, but will withdraw the cartridges and replace them in the box.

4. On the frontier, where hunting for large game is practicable, the men will be encouraged to hunt; and captains of companies may sell cartridges to their men in limited quantities, according to the supply on hand, at the rate of 2½ cents for carbine cartridges and 3 cents for rifle cartridges, and will account for the sales and the money received with their quarterly returns of ordnance.

5. As a general rule, it will be seen that ammunition can only be expended in action, in target practice, the instruction of recruits, and for authorized salutes. All other expenditures, such as on "*guard duty*," "*escort duty*," "*detached service*," "*herding duty*," will be disapproved by the Secretary of War, unless accompanied by proper authority and satisfactory evidence of the necessity therefor.

6. The expenditure of ammunition by civilian employes of the War Department (except that expended in action) is unauthorized and hereafter the officers ordering such expenditure will be held accountable for

NOTE.—The 120 ball-cartridges per man, allowed annually for target practice, will require 3,000,000 cartridges for the Army of 25,000 men, and will consume all that can be manufactured with the \$75,000 appropriated for metallic ammunition for the current fiscal year. The further demands of the troops will therefore have to be provided from the very small stock on hand.

NOTE 2.—For the purpose of hunting, &c., and as a temporary measure, each company of Cavalry and Infantry is authorized to retain 5 muskets or carbines, of the old pattern, cal. .50, and all the ammunition therefor now on hand.



the money value of the stores. When ammunition is dropped from an officer's return as "expended in action by civilian employés," a statement, giving the place, date, and attending circumstances sufficiently in detail to insure verification, must be filed with the return.

7. The sale of ammunition—at prices fixed by paragraph 4 of this order—to civilians engaged in exploring, or surveying expeditions authorized by law, and to civilian employés of the War Department, may be made for hunting purposes when considered necessary for their subsistence, or for the interest of the United States.

8. As the law does not authorize the loan of public property, the issue of arms, ammunition, and other ordnance stores to individuals, corporations, or Indian agencies, is forbidden; and officers issuing in disobedience of this order will be charged with the money value of the stores.

9. Sales of arms and other ordnance stores may be made to Indian agencies upon application of the proper authority when specially authorized by the Secretary of War.

10. The authority to purchase arms and ammunition granted in G. O. No. 9, A. G. O., 1874, was intended to apply only to settlers who have not the means and facilities for providing themselves with arms. It was not intended, and will not be construed, as authorizing sales to contractors or corporations, who in the exercise of ordinary foresight should provide in advance the necessary arms, &c., for the protection of their employés and property.

11. No deduction in the price of the arm will be made on account of failure of purchasers to take the bayonets.

12. The proceeds of sales as herein authorized will be accounted for to the Chief of Ordnance, and the money disposed of as he shall direct.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 104. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, August 10, 1874.

The following Opinion of the Acting Attorney General of the United States is published for the information of all concerned:

### OPINION.

DEPARTMENT OF JUSTICE,  
JULY 29, 1874.

SIR: The following question is proposed by Henry W. Scott, "Contractor," in his letter, dated July 16, 1874, addressed to the Quartermaster General, which letter was referred to me by you July 24, 1874: "Is property within the inclosure of a U. S. National Cemetery, to be used for the U. S. by a Contractor on the ground, liable to attachment or levy under any circumstances, without a judgment being first obtained against such Contractor?"

From the Quartermaster General's indorsement on the letter it appears that the title to the property in question is in the Contractor—that the United States has no claim to it.

By the Constitution Congress has power to exercise "exclusive legislation" "in all cases whatsoever" over all places purchased by the consent of the Legislature of any State "for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings." No time need be spent in showing that land purchased for cemeteries is within this provision of the Constitution. The Government has decided that these places and the structures on them are "needful." It was long ago held, and the decision has been acquiesced in, that "exclusive jurisdiction is the attendant upon exclusive legislation," and that when a State for the purposes mentioned has given its consent to the purchase of land within its limits by the United States, the State's jurisdiction is completely ousted.—[*United States v. Cornell*—2d *Mason*, 60-63; 1 *Kent Com.*, 429.] It follows in such case that no State process, civil or criminal, can run upon said lands, unless there is a special exception or reservation in the cession or in the State's consent to the purchase.—[1 *Woodbury & Minot*, 76-82.] And it is my opinion that personal property upon lands ceded to the United States without condition is not subject to be levied on by attachment or any other process issued by the authority of the State. It is subject to United States process only. But if, as is usually the case, the State in making the cession or in giving its consent to the purchase reserved the right to serve and execute its process upon the land, or annexed any other like condition, it has been held that the "acceptance of a cession with this reservation amounts to an agreement on the part of the United States to permit the free exercise of such process as being *quoad hoc* its own process;" "and upon any other construction the cession would be nugatory and void."—[1 *Kent Com.*, 429-30,] and the case above cited, [2 *Mass.*, 65-66; also *United States v. Davis*—5 *Mason*, 356.]

I think, therefore, that, if the lands of any National Cemetery were ceded or the purchase thereof consented to by the State within whose boundaries they are, with a

reservation of "concurrent jurisdiction," or of the right to serve its process on said lands, personal property within the inclosure of such Cemetery is liable to be taken by writ of attachment or any other lawful process issued by the authority of said State if the title to the property is in the defendant, whether the Contractor for such Cemetery or any other person. As the writ of attachment is *mere* process and precedes judgment the last clause of the question is answered.

I am, sir, very respectfully,

S. F. PHILIPS,

*Solicitor General and*

*Acting Attorney General.*

Hon. WM. W. BELKNAP,

*Secretary of War.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS } WAR DEPARTMENT,  
No. 105. } ADJUTANT GENERAL'S OFFICE,  
Washington, August 21, 1874.

The attention of officers whose duty it is to review the proceedings of Courts Martial is directed to the following point :

A sentence to confinement, with or without forfeiture of pay, cannot in terms be made to commence at a date prior to the confirmation of the proceedings of the court. If it is proper to take into consideration the length of confinement to which the prisoner has been subjected previous to such confirmation, it may be done by the mitigation of the sentence so that its term from the date of approval shall not extend beyond the period contemplated by the court or by the reviewing officer.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 106. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, August 25, 1874.*

The following is the detail for Recruiting Service from October 1, 1874, to October 1, 1876:

Colonel S. D. STURGIS, 7th Cavalry, will relieve Colonel GRIERSON, 10th Cavalry, as Superintendent of the Mounted Recruiting Service: Station at the Depot, St. Louis, Mo.

Colonel J. H. KING, 9th Infantry, will relieve Colonel O. B. WILLCOX, 12th Infantry, as Superintendent of the General Recruiting Service: Station, New York.

Major R. E. A. CROFTON, 17th Infantry, will relieve Lieutenant Colonel J. P. ROY, 15th Infantry, in command of the Depot at Governor's Island, New York Harbor.

Major E. C. MASON, 21st Infantry, will relieve Lieutenant Colonel J. N. G. WHISTLER, 5th Infantry, in command of the Sub-Depot, Newport Barracks, Kentucky.

Details from regiments of Cavalry to report to the Superintendent at St. Louis Depot:

One 1st Lieutenant from each regiment, except the 7th.

From the 7th Cavalry, one Captain for duty at the St. Louis Depot.

Details from regiments of Infantry to report to the Superintendent at New York:

One 1st Lieutenant each from the 3d, 4th, 5th, 6th, 7th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 17th, 19th, 20th, 21st, 23d, 24th, 25th.

Regimental Officers will be *selected* by their Colonels and ordered to report in person to the Superintendents for their respective arms. In making the selection regard will be had to fitness for the responsible duty of recruiting, and not exclusively to length of service.

All the officers detailed in accordance with these orders will report, as directed, by October 1, 1874. The officers relieved will join their regiments.

The Superintendents will relieve officers in charge of rendezvous as those of the new detail report, and order them to join their companies.

Recruiting in the Military Division of the Pacific will be conducted as heretofore.

Except for the Signal Service, enlisting for the Army will not be recommended until the rank and file is reduced to 25,000 men, or until further orders.

Paragraphs 978 and 979, Revised Regulations, in relation to the examination of recruits with a view to rejection after arrival at regiments or posts, have been, by direction of the Secretary of War, suspended.

Paragraph 974, Revised Regulations, in relation to work by recruits, will be strictly enforced at the Depots.

Recruiting officers are expected to give close *personal* attention to their duties, and to adhere to the regulations governing them. The prohibition to enlist minors and men of doubtful moral habits will be strictly enforced by the Superintendents.

In accepting recruits at rendezvous, Tripler's Manual affords the required standard of qualifications; and it is in like manner the standard for inspection after the recruits arrive at the depot.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 167. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
Washington, September 1, 1874.

The following extracts from Acts of Congress are published for the information and guidance of all concerned:

1. AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any moneys in the Treasury not otherwise appropriated, for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-five, as follows:

\* \* \* That no part of the money appropriated by this act shall be paid to any railroad company for the transportation of any property or troops of the United States over any railroad which, in whole or in part, was constructed by the aid of a grant of public land on the condition that such railroad should be "a public highway for the use of the Government of the United States free from toll or other charge," or upon any other conditions for the use of such road, for such transportation; nor shall any allowance be made out of any money appropriated by this act for the transportation of officers of the Army over any such road when on duty and under orders as a military officer of the United States. But nothing herein contained shall be construed as preventing any such railroad from bringing a suit in the Court of Claims for the charges for such transportation, and recovering for the same, if found entitled thereto by virtue of the laws in force prior to the passage of this act.

*Approved, June 16, 1874.*

[This act is published in General Orders No. 58 of 1874.]

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2. AN ACT making appropriations to supply deficiencies in the appropriations for the service of the Government for the fiscal years ending June thirtieth, eighteen hundred and seventy-three and eighteen hundred and seventy-four, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for



the service of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-four, and for former years, and for other purposes, namely: \* \* \* \*

For transportation of the Army. \* \* \* \* being a deficiency for the fiscal year ending June thirtieth, eighteen hundred and seventy-three, not including Pacific Railroad accounts, one hundred and seventy-five thousand dollars: *Provided*, That no part of the sum appropriated by any provision of this act shall be paid to any railroad company which has received a grant of land on the condition that its road should be "a public highway, for the transportation of the property and troops of the United States free from toll or other charge."

*Approved, June 22, 1874.*

[This act is published in General Order No. 79 of 1874.]

3. AN ACT making additions to the fifteenth section of the act approved July 2, 1864, entitled "An Act to amend an act entitled 'An Act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July 1, 1862."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be, and is hereby, added to the fifteenth section of the act approved July second, eighteen hundred and sixty-four, entitled "An Act to amend an act entitled 'An Act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' approved July first, eighteen hundred and sixty-two," the following words, namely: "And any officer or agent of the companies authorized to construct the aforesaid roads, or of any company engaged in operating either of said roads, who shall refuse to operate and use the road or telegraph under his control, or which he is engaged in operating for all purposes of communication, travel, and transportation, so far as the public and the Government are concerned, as one continuous line, or shall refuse, in such operation and use, to afford and secure to each of said roads equal advantages and facilities as to rates, time, or transportation, without any discrimination of any kind in favor of, or adverse to, the road or business of any or either of said companies, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined in any sum not exceeding one thousand dollars, and may be imprisoned not

less than six months. In case of failure or refusal of the Union Pacific Railroad Company, or either of said branches, to comply with the requirements of this act and the acts to which this act is amendatory, the party injured or the company aggrieved may bring an action in the district or circuit court of the United States in the territory, district, or circuit in which any portion of the road of the defendant may be situated, for damages on account of such failure or refusal; and, upon recovery, the plaintiff shall be entitled to judgment for treble the amount of all excess of freight and fares collected by the defendant, and for treble the amount of damages sustained by the plaintiff by such failure or refusal; and for each and every violation of or failure to comply with the requirements of this act a new cause of action shall arise; and in case of suit in any such territory, district, or circuit, process may be served upon any agent of the defendant found in the territory, district, or circuit in which such suit may be brought, and such service shall be by the court held to be good and sufficient; and it is hereby provided that for all the purposes of said act, and of the acts amendatory thereof, the railway of the Denver Pacific Railway and Telegraph Company shall be deemed and taken to be a part and extension of the road of the Kansas Pacific Railroad, to the point of junction thereof with the road of the Kansas Pacific Railroad Company at Cheyenne, as provided in the act of March third, eighteen hundred and sixty-nine."

*Approved, June 20, 1874 ,*

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4. The annexed table of Land Grant Railroads, revised and corrected, is re-published for the information of all concerned.

5. To carry out the provisions of the aforementioned acts, and particularly the act approved June 16, 1874, as construed by the Solicitor General, approved by the Attorney General, in the opinion published in *General Orders No. 84, A. G. O.*, current series, and in the opinion rendered July 30, 1874, an extract from which will be found below, officers of the Quartermaster's Department are instructed to make no payments for the transportation of any property or troops of the United States over any of the railroads named in the table of Land Grant Railroads, out of the moneys appropriated by the act approved June 16, 1874, with the exception of the Oregon Central Railroad, to which railroad company full payment for such service may be made; and to make no payments for such service over any of the railroads named in said table out of the moneys appropriated by the act approved June 22, 1874, with the exception of the Atlantic and Pacific Railroad, from Springfield, Mo.,

to the Pacific Ocean; the New Orleans, Baton Rouge and Vicksburg; the Northern Pacific; the Oregon Central; the St. Joseph and Denver City; the Southern Pacific Railroad of California, and branch line; the Texas and Pacific, and the Utah Central, railroads; to which railroad companies full payments may be made, as heretofore, for such services rendered prior to July 1, 1874.

The following is the extract from the opinion above referred to :

\* \* \* If, therefore, a land grant has been made to a company, to aid it in constructing, in whole or in part, a road between certain termini, upon condition of a certain use of *such railroad*, such condition affects the whole of what lies between the termini mentioned—no more, no less. Any subsequent change of terminus, by which, suppose, the road is extended, or, on the contrary, is transferred in part to another company, will not affect the original application of the condition. The latter continues in its original extent, and, where a part of the road has been transferred, follows it in the hands of its new owner. The circumstance that the company which operated the original road, continues to operate it as extended or curtailed, without any change of name, does not affect the question, which, in every case, is, as to the termini of the road at the time that the condition was affixed; the subject-matter to which such condition adheres, being a road of such termini. \* \* \*

6. Whenever accounts are presented by any of these Land Grant Railroad companies to officers of the Quartermaster's Department for payment for services rendered in transporting property or troops of the United States over said railroads, payment of which is prohibited by the aforementioned acts, they will be returned to the company presenting them, with the information that payment thereof is prohibited by law.

7. In settlement of accounts which include, in part, transportation over these Land Grant Railroads, and over other railroads not land grant, officers of the Quartermaster's Department will issue certificates, as provided for in paragraph 34 of General Orders No. 98, A. G. O., of 1872, for the full amount inuring to the Land Grant Railroad, modified so as to read as follows: "The said \* \* \* Railroad is a Land Grant Railroad; payment for the transportation is, therefore, prohibited by law." One copy of this certificate will be forwarded to the railroad company presenting the account, for use in settlement with its connecting lines; the other copy will be forwarded to the company over whose road the services were performed.

8. Separate Bills of Lading, and separate Requests for transportation over these Land Grant Railroads, will be issued to each road in all cases where the stores or troops pass over Land Grant Roads only; but officers will be particular to note thereon that payment for the service is prohibited by law.

9. The Union Pacific; the Central Pacific, including the Western Pacific; the Kansas Pacific; the Central Branch Union Pacific (formerly the Atchison & Pike's Peak Railroad), and the Sioux City and Pacific, Railroads are excepted from the provisions of this order so far as to allow officers to comply with that portion of General Orders No. 48, A. G. O., of 1873, requiring them to forward all accounts of the above-named railroad companies, when presented to them for settlement, to the office of the Quartermaster General, properly prepared and certified, for administrative action. No payments will be made by officers of the War Department for transportation of any kind over these roads.

10. In conformity to the opinion of the Second Comptroller of the Treasury of July 23, 1874, authority is given for the reimbursement of the actual cost of transportation over Land Grant Railroads, with the exception of the roads named in the preceding paragraph, of persons, not of the Army (civilians, hired) holding appointment or employment under the United States, when on duty and traveling under orders at Government expense, whenever it is impracticable to furnish such persons with the necessary Transportation Request.

11. Officers in issuing the certificate authorized by paragraph No. 34, of General Orders No. 98, A. G. O., of 1872, will, while on duty at any one station, number the certificates issued to each company consecutively, from one upward; and in stating the date at which the transportation was performed, and the amount, will only give the amount withheld from the company in each month (stating the month or months in which the transportation was performed), and not the full amount represented by the voucher.

12. The Bills of Lading prescribed by General Orders No. 98 of 1872 should be numbered by each shipping officer consecutively, from one upward, and a corresponding entry made in the book of "Stores and Property Shipped;" and in the book of "Stores and Property Received" the entries in the column for "Numbers" should correspond to the shipping officer's number as shown by the Bill of Lading. The space in both books should be carefully economized, and as many entries made on each page as practicable.

13. The attention of officers of the Quartermaster's Department is particularly invited to paragraph 4 of General Orders No. 93 of 1872, requiring them "*to ascertain the lowest through rate, or any special rate less, at which the transportation will be performed, and cause the same to be inserted in the Bill of Lading.*"

14. That portion of paragraph 5 of said order which is in the following words, to wit: "*If payment is to be made at regular tariff rates, the rates need not be stated in detail; simply say tariff rates,*" applies only to local shipments—to shipments where there are no through or special rates, and where settlement must be made at the local rates of the respective roads over which the stores must pass.

15. Paragraphs 5, 8, 25, 34, 39, and 40, of General Orders No. 93, A. G. O., of 1872, are hereby so far modified as to make them conform to the requirements of this order; and in line 11 of paragraph 8 of order 93, read 34 instead of 20.

16. Officers issuing a single "Request" for transportation over a line composed of several roads, will be particular to give the initial letters of each road or the general route to be traveled; and on the back of the "Request" to state fully and specifically the purpose for which the journey is performed, in order to prevent trouble and delay in settlement of their accounts. Strict compliance in this respect with paragraph 47 of General Orders No. 98 of 1872 should be had.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

[A.]

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**TABLE**

**OF**

**LAND GRANT RAILROADS.**

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*The following table of Land Grant Railroads in the United States, compiled and other official sources, revised and corrected,*

No.	PRESENT NAMES OF COMPANIES OWNING OR OPERATING THE ROADS.	ORIGINAL NAMES OF COMPANIES TO WHICH GRANTS WERE MADE.	STATES OR CORPORATIONS.
1	Alabama & Chattanooga.....	Will's Valley and Northeast & Southwest.	Alabama .....
2	Atchison, Topeka & Santa Fé.	Atchison, Topeka & Santa Fé	Kansas .....
3	Atlantic & Pacific.....	Atlantic & Pacific. With a branch from the Canadian River to western boundary of Arkansas, at or near Van Buren, Ark.	Corporation..
4	Atlantic & Pacific .....	Southwest branch Pacific R. R. of Missouri.	Missouri.....
5	Burlington & Missouri River..	Burlington & Missouri River..	{ Iowa .....
			{ Nebraska .....
6	Chicago & North-western—Iowa Division.	Cedar Rapids & Missouri River	Iowa .....
7	Chicago & North-western—Wisconsin Division.	Chicago, St. Paul & Fond du Lac.	Wisconsin .....
8	Chicago & North-western—Peninsular Division.	Bay de Noc & Marquette.....	Michigan.....
9	Chicago, Rock Island & Pacific.	Mississippi & Missouri.....	Iowa .....
10	Central Pacific—main line....	Pacific R. R.....	Corporation..
11	Central Pacific—Western Division.	Western Pacific.....	Corporation..
12	Central Pacific—Oregon Division.	California & Oregon .....	California & Oregon.
13	Central Branch, Union Pacific.	Atchison & Pike's Peak.....	Corporation..
14	Chicago, Milwaukee & St. Paul*—Iowa and Minnesota Division.	Minneapolis & Cedar Valley, and Minnesota Central, Austin & State Line.	Minnesota ...
15	Chicago, Milwaukee & St. Paul—Iowa and Dakota Division.	McGregor & Sioux City, and McGregor & Missouri River.	Iowa .....
16	Chicago, Milwaukee & St. Paul—La Crosse Division.	La Crosse & Milwaukee.....	Wisconsin .....
17	Denver Pacific .....	Kansas Pacific .....	Corporation..
18	Atlantic Gulf & West India Transit Company's Railroad.	Florida .....	Florida .....
19	Flint & Pere Marquette .....	Flint & Pere Marquette.....	Michigan .....
20	Grand Rapids & Indiana.....	Grand Rapids & Indiana.....	Indiana and Michigan.

*from the Statutes of the United States, Records of the General Land Office,  
is re-published for the information of all concerned.*

TERMINI OF LAND GRANT PORTION.			Miles.	REMARKS.
From—	To—			
Wauhatchie, Tenn...	State Line, Miss. and Ala.		270½	
Atchison, Kan.....	The State line.....		470.58	
Springfield, Mo., via Canadian River, Albuquerque, the Aqua Frio, and the Colorado River.	The Pacific Ocean..			
St. Louis Mo.....	Springfield, Mo.....		241	The Atlantic & Pacific and the Missouri Pacific R. R'ds use same track from St. Louis to Pacific.
Burlington, Iowa...	Missouri River.....		279½	
Passmouth, Neb...	Junction with Union Pacific R. R., Neb.		191½	
(Cedar Rapids, Ia.)	Missouri River, Iowa,		272½	See Railway Guide—Iowa Midland R. R.—for branch from Lyons to Clinton.
(Branch—Lyons, Ia.)	Clinton, Iowa.....		3)	
Fond du Lac, Wis...	Wisconsin State line		117	
Wisconsin State line.	Marquette, Mich., via Escanaba.		137	
Davenport, Iowa...	Missouri River.....		310	
Ogden.....	Sacramento, Cal....		743	
Sacramento, Cal....	San Francisco, Cal..		138	
Junction with Central Pacific.	Portland, Oregon.....			
Atchison, Kan.....	Waterville, Kan.....		100	
(St. Paul, via Mendota, Faribault, and Austin.	Lyle, Minn.....		112	*See Railway Guide—Iowa and Dakota Division—for distance from Austin to Lyle.
(Minneapolis, via Mendota, Faribault, & Austin.	Lyle, Minn.....		115	
Calmar, Iowa.....	Junction with St. Paul & Sioux City R. R.			Formerly Milwaukee & St. Paul Railway.
Portage City, Wis...	Tomah, Wis.....		62	
Denver.....	Cheyenne.....		106	
Fernandina, Fla.....	Cedar Keys.....		154	
Flint, Mich.....	Lake Michigan, Mich.			
Fort Wayne, Ind...	Potosky, on Traverse Bay, Mich.		332	Branch road from Walton to Traverse City, is not a Land Grant Road.



*Table of Land Grant*

No.	PRESENT NAMES OF COMPANIES OWNING OR OPERATING THE ROADS.	ORIGINAL NAMES OF COMPANIES TO WHICH GRANTS WERE MADE.	STATES OR CORPORATIONS.
21	Hannibal & St. Joseph.....	Hannibal & St. Joseph.....	Missouri....
22	Hastings & Dakota.....	Hastings, Minnesota River & Red River of the North.	Minnesota ..
23	Illinois Central—main line....	Illinois Central.....	Illinois.....
24	Illinois Central—Chicago Branch.	Illinois Central.....	Illinois.....
25	Illinois Central—Iowa Division	Dubuque & Sioux City, and Iowa Falls & Sioux City.	Iowa.....
26	Jackson, Lansing & Saginaw.	Amboy, Lansing & Traverse Bay.	Michigan....
27	Jacksonville, Pensacola & Mobile.	Florida, Atlantic & Gulf Central, and Pensacola & Georgia.	Florida.....
28	Kansas Pacific.....	Leavenworth, Pawnee & Western.	Corporation..
29	Little Rock & Fort Smith.....	Little Rock & Fort Smith...	Arkansas ....
30	Lake Superior & Mississippi..	Lake Superior & Mississippi, and St. Paul & Stillwater.	Minnesota....
31	Leavenworth, Lawrence & Galveston.	Leavenworth, Lawrence & Fort Gibson. With a branch from Lawrence to the Atchison, Topeka & Santa Fe R.R.	Kansas.....
32	Mobile & Ohio.....	Mobile & Ohio.....	Alabama and Mississippi.
33	Mobile & Montgomery.....	Alabama & Florida.....	Alabama.....
34	Mobile & Girard.....	Mobile & Girard.....	Alabama.....
35	Memphis & Little Rock.....	Memphis & Little Rock.....	Arkansas.....
36	Marquette, Houghton & Ontonagon.	Marquette and Ontonagon....	Michigan.....
37	Missouri, Kansas & Texas....	Union Pacific—Southern branch	Kansas.....
38	Missouri Pacific R. R.....	Southwest Branch P. R. R. of Missouri.	Missouri.....
39	Missouri River, Ft. Scott & Gulf.	Kansas & Neosho Valley.....	Kansas.....
40	Morgan's, Louisiana & Texas	New Orleans, Opelousas & Great Western.	Louisiana....
41	North Louisiana & Texas....	Vicksburg, Shreveport & Texas.	Louisiana....

*Railroads—Continued.*

TERMINI OF LAND GRANT PORTION.			REMARKS.
From—	To—	Miles.	
Haanibal, Mo.....	St. Joseph, Mo.....	206	Branch road commences at Centralia.
Hastings .....	Western boundary of the State.	.....	
Cairo, Ill.....	Dunleith, Ill.....	456	
Cairo, Ill.....	Chicago, Ill.....	365	
Dubuque.....	Sioux City.....	326	
Amboy, Mich .....	Straits of Mackinaw.....	.....	Operated by Michigan Central R. R. Company. That portion of the Jackson, Lansing & Saginaw R. R. between Jackson and Lansing is not a Land Grant Railroad.
Jacksonville, Fla ...	Quincy, Fla.....	189	
Kansas City, Mo....	Denver, Col.....	639	
Little Rock, Ark....	Fort Smith, Ark....	.....	
(St. Paul, Minn....	Duluth, Minn.....	156 }	
(Branch from Great	Stillwater, Minn....	13 }	
(Bear.....	South line of State.	177.6	
Leavenworth, Kan..			
Mobile, Ala.....	Columbus, Ky.....	472	
Montgomery, Ala....	Pollard, Ala.....	114	
Columbus, Ala.....	Troy, Ala.....	84	
Mississippi River....	Little Rock, Ark...	135	
Marquette, Mich....	Ontonagon, Mich....	.....	
Junction City, Kan..	South boundary of Kansas, and to Fort Smith when the Indian title is extinguished.	182½	
St. Louis, Mo.....	Pacific, Mo.....	37	Operated by Atlantic & Pacific R. R. Co., lessee. Junction with Atlantic & Pacific R. R., Pacific, Mo.
Kansas City, Mo....	South line of Kansas.	161½	
New Orleans, La....	Brashear, La.....	80	
Delta, La.....	Monroe.....	72	

*Table of Land Grant.*

No.	PRESENT NAMES OF COMPANIES OWNING OR OPERATING THE ROADS.	ORIGINAL NAMES OF COMPANIES TO WHICH GRANTS WERE MADE.	STATES OR CORPORATIONS.
42	New Orleans, Baton Rouge & Vicksburg.	New Orleans, Baton Rouge & Vicksburg.	Corporation..
43	Northern Pacific.....	Northern Pacific. With a branch via Columbia River to a point near Portland, Oregon.	Corporation..
43½	Oregon & California.....	Oregon and California.....	Oregon.....
44	Oregon Central.....	Oregon Central. With a branch from Fort Grove to Yamhill River, near McMinnville.	Oregon.....
45	Pensacola & Louisville.....	Alabama & Florida.....	Florida.....
46	South and North Alabama....	Tennessee & Alabama Central	Alabama....
47	Selma, Rome & Dalton.....	Alabama & Tennessee, and Coosa & Tennessee.	Alabama....
48	St. Louis, Iron Mountain & Southern.	Cairo & Fulton.....	Missouri and Arkansas.
49	St. Paul & Sioux City, and Sioux City & St. Paul.	Minnesota Valley.....	Iowa & Minnesota.
50	Sioux City & Pacific.....	Sioux City & Pacific.....	Iowa and Nebraska.
51	St. Paul & Pacific—main line.	St. Paul & Pacific.....	Minnesota....
52	St. Paul & Pacific—branch...	St. Paul & Pacific.....	Minnesota....
53	St. Paul & Pacific—branch...	St. Paul & Pacific.....	Minnesota....
54	St. Joseph & Denver City....	Northern Kansas.....	Kansas.....
55	Southern Pacific of California.	Southern Pacific of California	California....
56	Southern Pacific of California—branch line.	Southern Pacific of California.	Corporation..
57	Southern Minnesota.....	Root River Valley, and Southern Minnesota.	Minnesota....
58	Texas & Pacific.....	Texas Pacific.....	Corporation..

*Railroads—Continued.*

TERMINI OF LAND GRANT PORTION.			REMARKS.
From—	To—	Miles.	
New Orleans, La. ....	Texas State line. ....		
Lake Superior .....	Puget's Sound .....		Transportation performed by the N. P. R. R. Co. between Duluth and Thomson's Sta. (the junction of the N. P. R. R. with the L. S. & Miss. R. R.) is subject to the conditions attached to the grant to the Lake Superior & Mississippi R. R. Co.
Portland, Oregon ...	Southern boundary of State. ....		
Portland, Oregon ...	Astoria and Mc-Minnville. ....		Full payments may be made to this Company.
Pensacola, Fla. ....	Pollard, Ala. ....	44	
Montgomery, Ala. ...	Decatur, Ala. ....	182	Operated in connection with the Louisville, Nashville & Great Southern Railway.
Selma, Ala. ....	11 miles north of Jacksonville, Ala. ....	156	
Missouri River, opposite Cairo, via Poplar Bluff, Mo., and Little Rock, Ark. ....	Texas boundary at Texarkana. ....	395	
St. Paul, Minn. ....	Sioux City, Iowa. ....	270	
Sioux City, Iowa. ....	Fremont, Neb. ....	113	
St. Paul .....	Breckenridge, Minn. ....	217	
St. Paul, via Crow Wing. ....	Northern Pacific R. R. ....		
St. Paul, via St. Cloud. ....	Pembina. ....		
Elwood, Kan. ....	Junction with Union Pacific R. R. ....		
San Francisco, Cal. ..	Some point on the Atlantic & Pacific R. R. near the boundary line of California. ....		
From a point near Tehachapa Pass, via Los Angeles. ....	Texas Pacific R. R., near the Colorado River. ....		
Mississippi River, opposite La Crosse. ....	Western boundary of the State. ....		
From a point near Marshall, Texas, via El Paso, to southern boundary of California, thence	San Diego, Cal. ....		

*Table of Land Grant*

NO.	PRESENT NAMES OF COMPANIES OWNING OR OPERATING THE ROADS.	ORIGINAL NAMES OF COMPANIES TO WHICH GRANTS WERE MADE.	STATES OR CORPORATIONS.
59	Utah Central.....	Utah Central.....	Territory of Utah.
60	Union Pacific.....	Pacific .....	Corporation..
61	Vicksburg & Meridian.....	Southern Mississippi.....	Mississippi...
62	Winona & St. Peter.....	Winona & St. Peter.....	Minnesota....
63	West Wisconsin .....	Tomah & Lake Superior.....	Wisconsin ...
64	Wisconsin Central .....	Portage, Winnebago & Lake Superior.	Wisconsin...

NOTE.—See G. O. No. 98, A. G. O., of 1872, for conditions of grants.

*Railroads—Continued.*

TERMINI OF LAND GRANT PORTION.			REMARKS.
From—	To—	Miles.	
Ogden, Utah.....	Salt Lake City, Utah.	37	
Omaha, Neb.....	Ogden, Utah.....	882	
Jackson, Miss.....	Meridian, Miss.....	95	
Winona, Minn.....	A point on the Big Sioux River.	.....	
11 miles south of Warrens, Wis.	Hudson, Wis.....	156	
Portage City, via Stevens Point.	Bayfield, thence to Lake Superior.	.....	



GENERAL ORDERS }

No. 108.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, September 3, 1874.*

With the assent of the President, and at the request of the General, the Headquarters of the Armies of the United States will be established in St. Louis, Missouri, in the month of October next.

The Regulations and Orders now governing the functions of the General of the Army, and those in relation to transaction of business with the War Department and its Bureaux, will continue in force.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL -

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 109. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, September 8, 1874.

I..The attention of officers commanding forts and posts upon the sea-coast is called to the following provisions of law:

CHAP. XII..AN ACT respecting Quarantines and Health Laws.—[Approved February 25, 1799.]

SECTION I. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the quarantines and other restraints which shall be required and established by the health laws of any State, or pursuant thereto, respecting any vessels arriving in, or bound to, any port or district thereof, whether from a foreign port or place, or from another district of the United States, shall be duly observed by the collectors and all other officers of the revenue of the United States, appointed and employed for the several collection districts of such States, respectively, and by the masters and crews of the several revenue cutters, and by the military officers who shall command in any fort or station upon the sea-coast; and all such officers of the United States shall be, and they hereby are, authorized and required faithfully to aid in the execution of such quarantines and health laws, according to their respective powers and precincts, and as they shall be directed, from time to time, by the Secretary of the Treasury of the United States.

\* \* \* \* \*

II..Under this law, the aid to be rendered in the execution of Quarantine and Health laws is such only as the Secretary of the Treasury may from time to time in any emergency deem necessary.

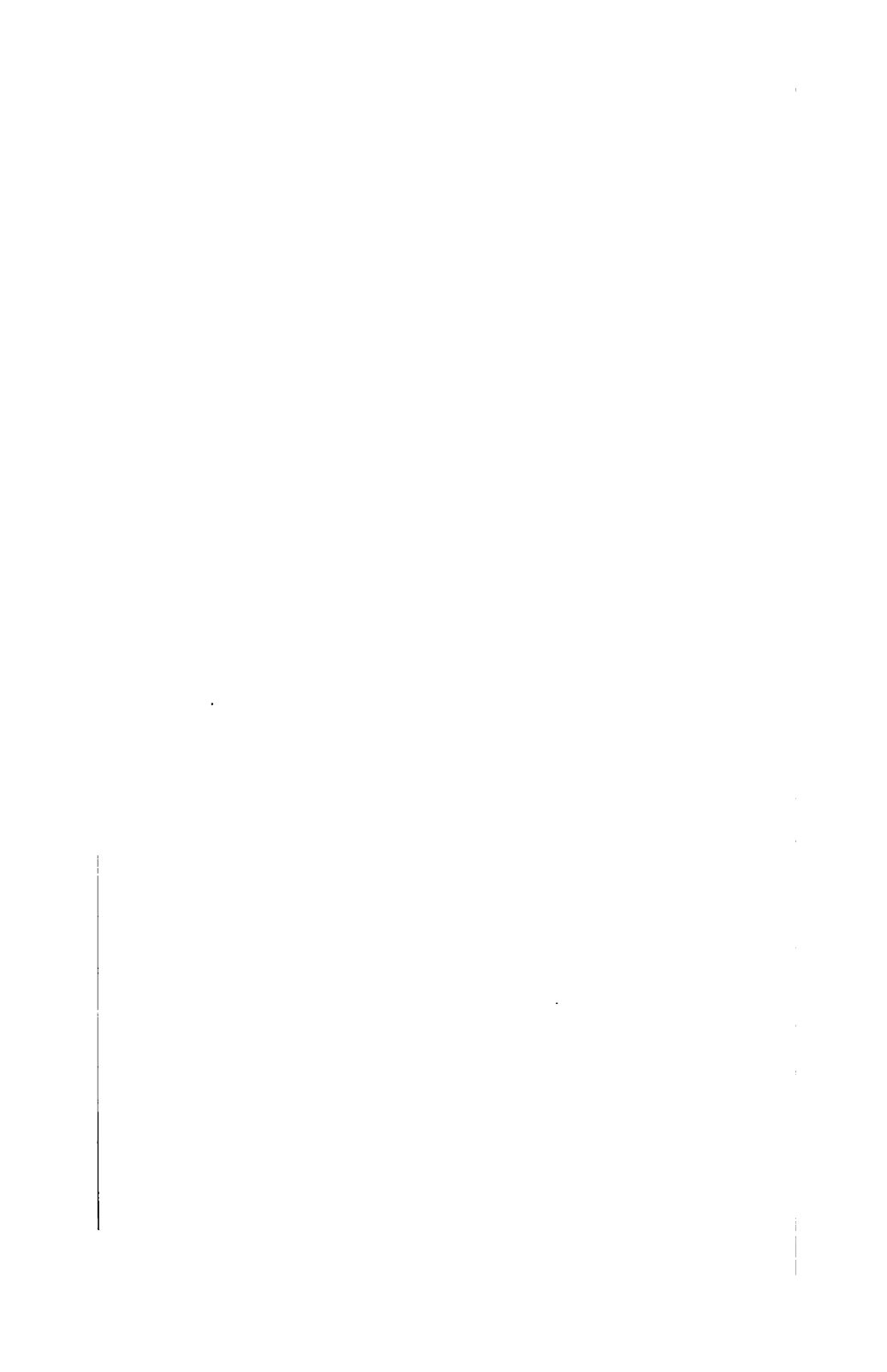
Commanding officers will therefore furnish such assistance to any collector or other proper officer of the revenue whenever he shall be specially authorized by the Secretary of the Treasury to apply for the same.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 110. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, September 10, 1874.

The following Opinion of the Attorney General of the United States is published for the information of all concerned:

### OPINION.

DEPARTMENT OF JUSTICE,  
WASHINGTON, D. C., September 1st, 1874.

HON. C. DELANO,  
*Secretary of the Interior.*

SIR: I had the honor to receive your communication of the 25th of June last, directing my attention to a letter addressed to you by the Hon. Secretary of War, under date of the 22d of that month, upon the subject of the employment of troops in "the removal of outlaws, thieves, and other unauthorized parties" from the Cheyenne and Arrapahoe reservation, as also to your letter in reply thereto, and requesting an expression of my views upon the same subject.

Before complying with your request, I desired to examine the recent revision of the Statutes, inasmuch as that contains the latest manifestation of the legislative will touching the subject adverted to; but, until within the past few days, I have been unable to do so for want of a copy of the revision. This will explain why an earlier response to your communication has not been made.

It appears that the above-mentioned reservation was established by a treaty made with the Cheyenne and Arrapahoe tribes of Indians on the 28th of October, 1867, (See 15 Stat., 593,) which I understand is still in force.

The 2d article of the treaty, after fixing the boundaries of the reservation, stipulates as follows: "And the United States now solemnly agrees that no persons except those herein authorized so to do, and except such officers, agents, and employes of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article, or in such territory as may be added to this reservation for the use of said Indians."

The effect of this stipulation is to render it *unlawful* for any party to enter or reside upon the reservation who does not fall within some one of the exceptions contained therein.

By section 2149 of the Revised Statutes, the Commissioner of Indian Affairs is "authorized and required, with the approval of the Secretary of the Interior, to remove from any *tribal reservation* any person being therein without authority of law, or whose presence within the limits of the reservation may, in the judgment of the Commissioner, be detrimental to the peace and welfare of the Indians, and may employ for the purpose such force as may be necessary to enable the agent to effect the removal of such person."

And by section 2149 of the Revised Statutes, the Superintendent of Indian Affairs, and the Indian agents and sub-agents, "shall have authority to remove from *Indian country* all persons found therein contrary to law; and the President is authorized to direct the military force to be employed in such removal."

There can be no doubt that these statutory provisions are applicable to the Cheyenne and Arrapahoe reservation. And they unquestionably confer ample power upon the Commissioner of Indian Affairs, with the approval of the Hon. Secretary of the Interior, and also upon the Superintendent of Indian Affairs, Indian agents and sub-agents, to remove from that reservation persons such as those described in your communication; in effecting which object the President is, moreover, authorized to direct the military force to be employed.

I accordingly concur in the opinion already expressed by you, that an order of the Executive, directing the military to be employed in removing from the said reservation all persons found thereon contrary to law, would be an adequate protection to the officers and soldiers who may in conjunction with the agents or officers of the Indian Department perform the particular service to which reference is made in the letter of the Hon. Secretary of War, and in your letter written in reply thereto. But I do not think it essential, in this case, that the order should be issued by the President by his own hand. If one were issued by the Hon. Secretary of War, it would, as I conceive, be sufficient—the general rule being that the direction of the President is to be presumed in orders or instructions emanating from the appropriate Executive Department.

I am, sir,

Very respectfully,

Your obedient servant,

GEO. H. WILLIAMS,

*Attorney General.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 111. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, September 11, 1874.*

The detail of a subordinate officer by the commanding officer of an Artillery post, to act as ordnance officer under and for him, but *not* to relieve him from responsibility for the care and preservation of ordnance property, is not considered as a violation of the Regulation to which attention is called in General Orders No. 12, of 1873, from this Office.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
No. 112. } ADJUTANT GENERAL'S OFFICE,  
Washington, September 12, 1874.

The following is substituted for the second paragraph of section 2 of General Orders No. 69, June 29, 1874, from this Office:

When delays at hotels are incident to, and necessary for, the performance of the duties for which the travel is ordered, charges for hotel expenses will be allowed, not extending beyond seven days at any one place, and not exceeding five dollars per day; and no allowance will be made for hotel bills beyond the amount actually paid.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 113. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, September 12, 1874.*

The following Order is published for the information and guidance of all concerned :

Clerks in the employ of the Department, Officers of the Army, and Chiefs of Bureaus of the War Department must observe the rule that applications for opinions or decisions upon questions relating to official business are not to be made to officers connected with other branches of the Government without first submitting such question to the head of the Department, that it may be transmitted through the regular channels. The practice now existing in some of the Bureaus of the Department to the contrary must cease.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 114. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, September 16, 1874.*

The following instructions, relative to procuring, supplying, and issuing clothing, camp and garrison equipage, are published for the information of all concerned:

Company commanders will prepare estimates of the annual allowance of clothing, camp and garrison equipage for their companies in time to forward them through the proper channels, so as to reach the Quartermaster General's Office early in the month of June each year.

Post commanders will see that the estimates for all the troops at their posts are forwarded at the same time.

No estimate should be made for more than ten per cent. in excess of the annual allowance without full explanation of the necessity therefor.

The allowance for each company will be packed separately at the clothing depot. The packages will be shipped to the post quartermaster, each one being so marked as to indicate the company for which the contents are intended. The whole will be invoiced to the post quartermaster, and the invoice from the depot will be accompanied by separate lists for each company, showing the number of each package, the contents, and the company for which intended.

After the clothing and equipage are received at a post the post quartermaster will make issues on special requisition, in the usual manner, to each company from the packages prepared for it, in such quantities and at such times as the company commanders may require. That which is not issued will be held by the post quartermaster, in trust for the company.

Any saving of clothing or equipage made by one company may, if not needed by it, be issued to any other company that may require it, on the order of the post commander.

When a company changes station the company commander may, with approval of higher commander, take with it the clothing and equipage provided for it then remaining in the hands of the post quartermaster. The transfer will be made by invoices and receipts; or, if this is not convenient, it will remain at the post and be available for any other company.

On arriving at the new station the company commander may transfer such clothing and equipage as may not be required for immediate issue or

use to the post quartermaster, to be by him held for issue to the company as needed, on special requisition.

If, on arrival of clothing and equipage at a post, any company has left for a new station since the estimate was forwarded, the clothing and equipage for such company will be forwarded to its new post in the unbroken packages. The post quartermaster will transfer it to the acting assistant quartermaster at the new post by invoices and receipts, which will be made up from the list furnished from the clothing depot.

Issues made by the chief quartermasters on estimates passing through their offices, from depots under their control, will be reported, care being taken to give the number of each size of articles supplied.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 115. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, September 16, 1874.

The following is a Proclamation by the President:

*By the President of the United States of America.*

#### A PROCLAMATION.

Whereas it has been satisfactorily represented to me that turbulent and disorderly persons have combined together with force and arms to overthrow the State government of Louisiana, and to resist the laws and constituted authorities of said State; and

Whereas it is provided in the Constitution of the United States that the United States shall protect every State in this Union, on application of the legislature, or of the executive when the legislature cannot be convened, against domestic violence; and

Whereas it is provided in the laws of the United States that, in all cases of insurrection in any State or of obstruction to the laws thereof, it shall be lawful for the President of the United States, on application of the legislature of such State, or of the executive when the legislature cannot be convened, to call forth the militia of any other State or States, or to employ such part of the land and naval forces, as shall be judged necessary for the purpose of suppressing such insurrection or causing the laws to be duly executed; and

Whereas the legislature of said State is not now in session and cannot be convened in time to meet the present emergency, and the executive of said State, under Section 4 of Article IV of the Constitution of the United States and the laws passed in pursuance thereof, has therefore made application to me for such part of the military force of the United States as may be necessary and adequate to protect said State and the citizens thereof against domestic violence, and to enforce the due execution of the laws; and

Whereas it is required that, whenever it may be necessary, in the judgment of the President, to use the military force for the purpose aforesaid, he shall forthwith by proclamation command such insurgents to disperse and retire peaceably to their respective homes within a limited time:

Now, therefore, I, ULYSSES S. GRANT, President of the United States, do hereby make proclamation, and command said turbulent and disorderly persons to disperse and retire peaceably to their respective abodes within five days from this date, and here-

after to submit themselves to the laws and constituted authorities of said State; and I invoke the aid and co-operation of all good citizens thereof to uphold law and preserve the public peace.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington this fifteenth day of September, in the year of our Lord eighteen hundred and seventy-four, and of the Independence of the [SEAL] United States the ninety-ninth.

U. S. GRANT.

By the President:

HAMILTON FISH,  
*Secretary of State.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 116. }

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, September 22, 1874.

The requirement in Paragraph 1159, Revised Army Regulations, that all issues of clothing to enlisted men shall be witnessed by an officer or non-commissioned officer—both as to the fact of the issue and the acknowledgment and signature of the soldier—is hereby *suspended* so far as relates to issues of clothing to men of the Signal Service at isolated stations, and to other soldiers on detached duty where it is impracticable to have the issues witnessed; and in such cases the receipts of the men (without witness to signature) for clothing issued to them will be passed as vouchers to the returns of the issuing officer, on his certificate that he has charged the money value of the articles issued on the soldier's clothing accounts.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 117.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, October 1, 1874.

The following promotions and appointments in the Army of the United States, made by the President since the publication of General Orders No. 77, of July 6, 1874, and No. 93, of July 21, 1874, and up to October 1, 1874, are announced :

### I.. PROMOTIONS.

#### CORPS OF ENGINEERS.

Major Thomas L. Casey, to be Lieutenant Colonel, September 2, 1874, *vice* Foster, deceased.

Captain Samuel M. Mansfield, to be Major, September 2, 1874, *vice* Casey, promoted.

First Lieutenant Henry M. Adams, to be Captain, September 2, 1874, *vice* Mansfield, promoted.

Second Lieutenant Carl F. Palfrey, to be First Lieutenant, September 2, 1874, *vice* Adams, promoted.

#### ORDNANCE DEPARTMENT.

Lieutenant Colonel Franklin D. Callender, to be Colonel, to date from July 3, 1871, *vice* Maynadier, deceased.

Major James G. Benton, to be Lieutenant Colonel, to date from December 31, 1870, *vice* Kingsbury, retired from active service.

Major John McNutt, to be Lieutenant Colonel, to date from June 7, 1871, *vice* Rodman, deceased.

Major Julian McAllister, to be Lieutenant Colonel, to date from July 3, 1871, *vice* Callender, promoted.

Captain James M. Whittemore, to be Major, to date from November 17, 1870, *vice* Edson, deceased.

Captain Adelbert R. Buffington, to be Major, to date from December 31, 1870, *vice* Benton, promoted.

Captain Daniel W. Flagler, to be Major, to date from June 7, 1871, *vice* McNutt, promoted.

Captain Richard M. Hill, to be Major, to date from January 12, 1872, to fill a vacancy.

Captain Alfred Mordecai, to be Major, to date from December 31, 1873, *vice* Porter, resigned.

Captain Stephen C. Lyford, to be Major, to date from June 23, 1874, *vice* Benét, appointed Chief of Ordnance.

First Lieutenant George W. McKee, to be Captain, to date from July 22, 1870, *vice* Buel, deceased.

First Lieutenant Frank H. Phipps, to be Captain, to date from September 21, 1870, *vice* Harris, honorably discharged.

First Lieutenant James W. Reilly, to be Captain, to date from November 17, 1870, *vice* Whittemore, promoted.

First Lieutenant George D. Ramsay, jr., to be Captain, to date from December 31, 1870, *vice* Myers, honorably discharged.

First Lieutenant John A. Kress, to be Captain, to date from June 7, 1871, *vice* Flagler, promoted.

First Lieutenant Otho E. Michaelis, to be Captain, to date from July 3, 1871, to fill a vacancy.

First Lieutenant William Prince, to be Captain, to date from December 31, 1871, *vice* Schaff, resigned.

First Lieutenant Clarence E. Dutton, to be Captain, to date from January 12, 1872, *vice* Hill, promoted.

First Lieutenant John G. Butler, to be Captain, to date from December 31, 1873, *vice* Mordecai, promoted.

First Lieutenant Cullen Bryant, to be Captain, to date from January 1, 1874, to fill a vacancy.

First Lieutenant Martin L. Poland, to be Captain, to date from June 23, 1874, *vice* Lyford, promoted.

Second Lieutenant Almon L. Varney, to be First Lieutenant, to date from February 10, 1869, *vice* McGinness, promoted.

Second Lieutenant Joseph C. Clifford, to be First Lieutenant, July 22, 1870, *vice* McKee, promoted.

Second Lieutenant Edward M. Wright, to be First Lieutenant, November 17, 1870, *vice* Reilly, promoted.

Second Lieutenant John E. Greer, to be First Lieutenant, December 31, 1870, to fill a vacancy.

Second Lieutenant John Pitman, to be First Lieutenant, December 31, 1870, *vice* Ramsay, promoted.

Second Lieutenant Charles Shaler, to be First Lieutenant, December 31, 1870, *vice* Smoot, honorably discharged.

Second Lieutenant Henry Metcalfe, to be First Lieutenant, June 7, 1871, *vice* Kress, promoted.

#### FIFTH REGIMENT OF CAVALRY.

Captain John J. Upham, of the Sixth Cavalry, to be Major, August 1, 1874, *vice* Crittenden, deceased.

First Lieutenant Edward M. Hayes, to be Captain, August 15, 1874 *vice* Burns, deceased. (Company "G.")

## SIXTH REGIMENT OF CAVALRY.

First Lieutenant Adam Kramer, to be Captain, August 1, 1874, *vice* Upham, promoted to the Fifth Cavalry. (Company "E.")

First Lieutenant Charles H. Campbell, to be Captain, September 20, 1874, *vice* Nesmith, deceased. (Company "A.")

Second Lieutenant John B. Kerr, to be First Lieutenant, August 1, 1874, *vice* Kramer, promoted. (Company "C.")

Second Lieutenant George S. Anderson, to be First Lieutenant, September 20, 1874, *vice* Campbell, promoted. (Company "L.")

## NINTH REGIMENT OF CAVALRY.

Second Lieutenant Reade M. Washington, to be First Lieutenant, September 30, 1874, *vice* Gerhard, resigned. (Company "E.")

## FIRST REGIMENT OF ARTILLERY.

Second Lieutenant William P. Van Ness, to be First Lieutenant, September 1, 1874, *vice* Totten, appointed regimental quartermaster. (Company "F.")

## SECOND REGIMENT OF ARTILLERY.

First Lieutenant James E. Wilson, to be Captain, July 24, 1874, *vice* Olmsted, dismissed. (Company "H.")

Second Lieutenant John A. Campbell, to be First Lieutenant, July 24, 1874, *vice* Wilson, promoted. (Company "E.")

## SEVENTEENTH REGIMENT OF INFANTRY.

Second Lieutenant James M. Burns, to be First Lieutenant, July 25, 1874, *vice* Rogers, appointed regimental adjutant. (Company "A.")

## TWENTIETH REGIMENT OF INFANTRY.

First Lieutenant Charles O. Bradley, to be Captain, August 25, 1874, *vice* Stanley, dismissed. (Company "D.")

Second Lieutenant Walworth W. Wood, to be First Lieutenant, August 25, 1874, *vice* Bradley, promoted. (Company "K.")

## TWENTY-FIRST REGIMENT OF INFANTRY.

Second Lieutenant Edward B. Rheem, to be First Lieutenant, July 8, 1874, *vice* Spurgin, appointed regimental quartermaster. (Company "K.")

## TWENTY-THIRD REGIMENT OF INFANTRY.

Second Lieutenant Patrick T. Brodrick, to be First Lieutenant, July 24, 1874, *vice* McDermott, dismissed. (Company "F.")

## II..APPOINTMENTS.

### FIFTH REGIMENT OF CAVALRY.

*Under the act of Congress approved June 23, 1874.*

Second Lieutenant J. Scott Payne, of the Sixth Cavalry, to be First Lieutenant, Fifth Cavalry, September 8, 1874, with date of commission and relative rank in the Army from May 23, 1867, to fill the vacancy created by the promotion of First Lieutenant Edward M. Hayes, August 15, 1874. (Company "E.")

### RE-APPOINTED.

### THIRD REGIMENT OF CAVALRY.

*Under the act of Congress approved June 23, 1874.*

Adolphus H. Von Luettwitz, late First Lieutenant, Third Cavalry, to be First Lieutenant, Third Cavalry, September 8, 1874, with date of commission and relative rank in the Army from January 26, 1870.

## III..CASUALTIES.

### RESIGNED. (9.)

Major Robert C. Walker, Paymaster, September 3, 1874.

Captain George Meade, First Artillery, October 1, 1874.

First Lieutenant James H. Jones, Fourth Cavalry, September 29, 1874.

First Lieutenant William Gerhard, Ninth Cavalry, September 30, 1874.

Second Lieutenant Robert E. Cox, Eighth Cavalry, September 3, 1874.

Second Lieutenant Luther M. Longshaw, Fourth Infantry, September 21, 1874.

Second Lieutenant Russell Thayer, Eleventh Infantry, September 30, 1874.

Second Lieutenant Charles Metcalfe, Seventeenth Infantry, September 30, 1874.

Second Lieutenant Richard H. Poillon, Twenty-third Infantry, August 1, 1874.

### COMMISSION VACATED BY NEW APPOINTMENT.

By First Lieutenant J. Scott Payne, Fifth Cavalry, his commission as Second Lieutenant, Sixth Cavalry, September 8, 1874.

## DIED. (9.)

Lieutenant Colonel Frederick Myers, Deputy Quartermaster General, at Santa Fé, N. M., July 7, 1874.

Lieutenant Colonel John G. Foster, Corps of Engineers, at Nashua, N. H., September 2, 1874.

Lieutenant Colonel Joseph A. Haskin, U. S. Army—retired—at Oswego, N. Y., August 3, 1874.

Major Adam N. McLaren, Surgeon, at Boston, Mass., August 1, 1874.

Major Eugene W. Crittenden, Fifth Cavalry, at Camp Bowie, A. T., August 1, 1874.

Captain James Burns, Fifth Cavalry, at Cerezo Creek, A. T., (75 miles west of Fort Wingate, N. M.,) August 15, 1874.

Captain Clarence E. Nesmith, Sixth Cavalry, at Fort Wallace, Kans., September 20, 1874.

First Lieutenant Robert M. Hall, First Artillery, at Summerville, S. C., July 18, 1874.

First Lieutenant Horatio Potter, jr., Seventeenth Infantry, at New York City, July 25, 1874.

## DROPPED FOR DESERTION. (1)

*In conformity with Sec. 17 of the act approved July 15, 1870.*

Second Lieutenant John Aspinwall, Seventh Cavalry, July 12, 1874.

## DISMISSED. (3.)

Captain George T. Olmsted, Second Artillery, July 24, 1874.

Captain William Stanley, Twentieth Infantry, August 25, 1874.

First Lieutenant George B. McDermott, Twenty-third Infantry, July 24, 1874.

IV.—Officers have been arranged in the foregoing order to the companies and batteries to which they have succeeded in the natural course of promotion or appointment, or to which they have been assigned by competent authority.

V.—Acceptance or non-acceptance of appointments, and, in case of acceptance, the *birth-place* of the officer appointed, his *age*, and *residence* when appointed, and his *full name*, correctly written, will in all cases be promptly reported to the Adjutant General.

VI.—In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once, *direct to this office*, stating the *cause*, *date*, and *place*.

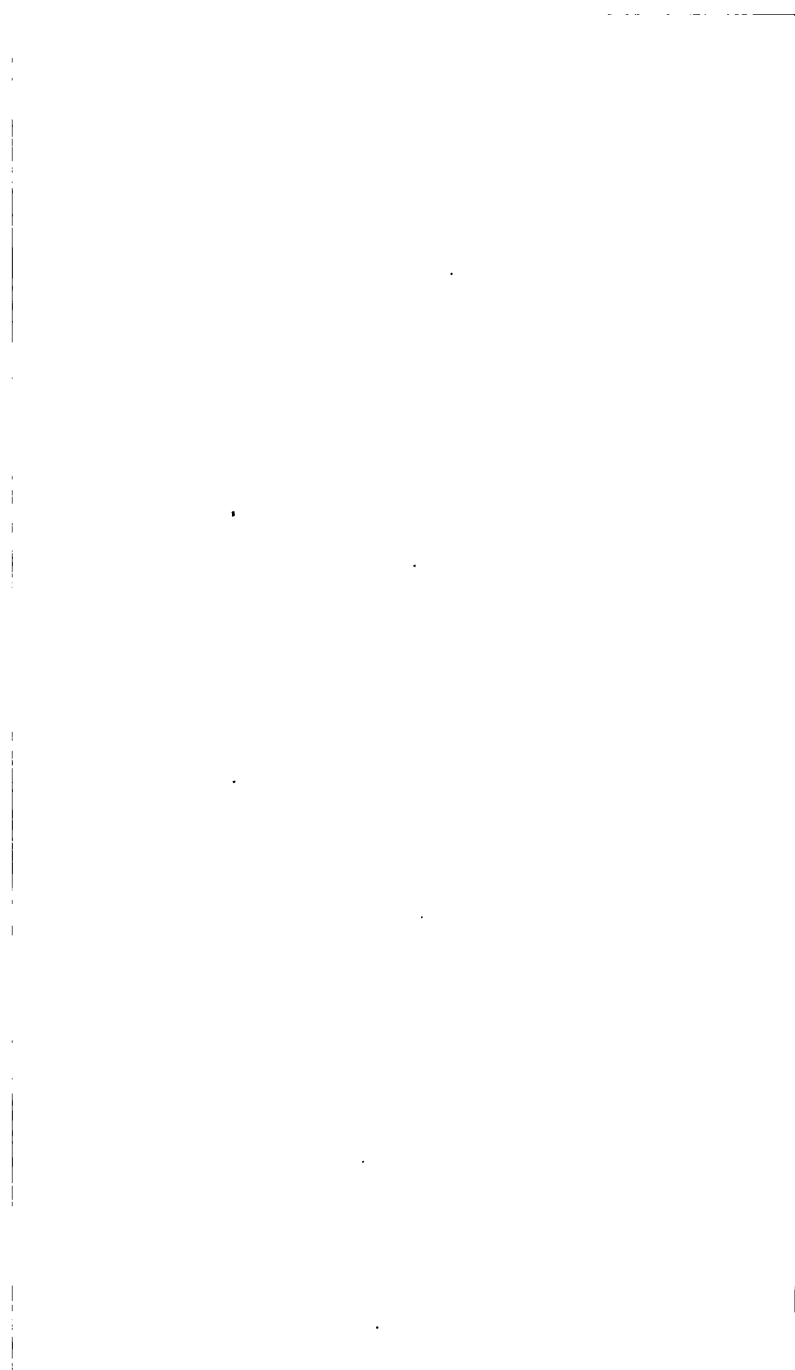
When an officer away from his command dies in hospital or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army medical officer, the report will be made by any officer having cognizance of the fact.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*







GENERAL ORDERS }  
No. 118. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, October 2, 1874.

I..The following Act and Resolution of Congress, relative to the settlement of accounts of Disbursing Officers, are *republished* for the information and guidance of all concerned :

"AN ACT to provide for the more prompt settlement of the accounts of Disbursing Officers," approved July 17, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act, any officer or agent of the United States who shall receive public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly instead of quarterly, as heretofore; and such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the proper accounting officer of the Treasury, and be mailed, or otherwise forwarded to its proper address within ten days after the expiration of each successive month. And in case of the non-receipt at the Treasury of any accounts within a reasonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this act; and for any default on his part, the delinquent officer shall be deemed a defaulter, and be subject to all the penalties prescribed by the sixteenth section of the act of August sixth, eighteen hundred and forty-six, "to provide for the better organization of the Treasury, and for the collection, safe keeping, transfer, and disbursement of the public revenue:" *Provided*, That the Secretary of the Treasury may, if in his opinion the circumstances of the case justify and require it, extend the time hereinbefore prescribed for the rendition of accounts: *And provided further*, That nothing herein contained shall be construed to restrain the heads of any of the Departments from requiring such other returns or reports from the officer or agent subject to the control of such heads of Departments as the public interest may require.

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"A RESOLUTION to facilitate the settlement of accounts of Disbursing Officers," approved March 2, 1867.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That so much of the act entitled "An Act to provide for the more prompt settlement of the accounts of disbursing officers," approved July seventeen, eighteen hundred and sixty-two, as provides that "such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the proper accounting officer of the Treasury," be, and the same is hereby, repealed; and all such accounts and vouchers shall hereafter be sent to the bureau to which they pertain, and, after examination there, shall be passed to the proper accounting officer of the Treasury for settlement.

II..Irregularities in the mail service have no bearing upon the rendition of money accounts within the time prescribed by the act of July 17, 1862, and Disbursing Officers are required to have their accounts ready to be forwarded and deposited in the post office, at places where such offices are established, on or before the tenth day of each month.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 119. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, October 9, 1874.*

When officers are authorized to advertise in a newspaper which publishes a daily and a weekly or semi-weekly edition, the "letter of authority" must be construed to refer to the *daily* edition, and the weekly or semi-weekly editions are not to be used unless specially authorized. Letters to the publishers of newspapers directing publication of advertisements should be written in such manner as to prevent a violation of this order.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 120. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, October 14, 1874.*

The monthly allowance of brooms and scrubbing-brushes for issue to troops is fixed as follows:

One broom for every 15 enlisted men.

One scrubbing-brush for every 20 enlisted men.

Company commanders and post quartermasters will be governed accordingly in making their estimates for garrison equipage. [*Vide* General Orders No. 94 of 1874.]

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 121. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, October 15, 1874.*

The following opinion of the Judge Advocate General, in which the Secretary of War concurs, is published for the information of the Army:

### OPINION.

Where a sentence of Court Martial imposes a forfeiture of the "monthly pay" (or of a stated portion of the monthly pay) of an accused for a certain number of "months," or "years," (or for the "same period" as that of a term of confinement imposed in the same sentence,) the forfeiture actually adjudged is that of the entire (or stated portion of the entire) month's pay of the accused for each and every month of the period indicated. Thus, a forfeiture in a sentence of the "monthly pay" of an Infantry soldier "for six months" means a forfeiture of thirteen dollars for each month of the period named, or seventy-eight dollars in all. So, a forfeiture of "ten dollars of his monthly pay for one year" (or "for the same period" as that of a term of confinement fixed by the same sentence at one year) means a forfeiture of ten dollars out of the pay of each month of the year, or of one hundred and twenty dollars in all.

This is the only construction of which this class of sentence is susceptible in law. And the addition to the term "monthly pay" as employed in such sentences of the words "per month," adds nothing to the meaning of the sentence, affects in no manner its legal import, and is, in any case, wholly superfluous.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }

No. 122. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, November 6, 1874.*

I.. The Articles named in the second part of Paragraph 2 of Circular No. 1, issued from the office of the Commissary General of Subsistence April 23, 1874, and in paragraph 2 of Circular No. 3, August 20, 1874, from the same office, will be added to the list of articles named in the first part of Circular No. 1, and will be furnished by the Subsistence Department for sale on the same conditions as those articles, *except* that potatoes and onions will be furnished only at posts where they cannot be cultivated or purchased at reasonable rates.

The following articles will also be furnished by the Subsistence Department for sale under Paragraph 1229, Army Regulations of 1863:

Canned soups.

Laundry starch.

Indigo.

II.. The following instructions are substituted for existing regulations and orders in regard to the hospital fund, its management and expenditure, and will go into operation in the month next succeeding the month in which this order is received at any post or station.

*Hospital Fund.*

The saving arising from an economical use of the rations of the sick and attendants in a hospital shall constitute the hospital fund.

The rations or parts of rations not drawn shall be paid for by the Commissary and taken up by him as purchased, as in the case of company savings. The amount shall be paid to the senior medical officer at the post or station, and shall be expended by him exclusively for the benefit of the men in the hospital, in the purchase of such articles of diet, comfort, or convenience as may be required.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL.

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 123.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, November 7, 1874.*

On the recommendation of the Quartermaster General, disbursing officers of the Quartermaster's Department are directed to deposit in the Treasury, without delay, as repayment to the appropriations from which drawn, the funds of the fiscal year ending June 30, 1874, remaining in their hands, except such sums as may be required to pay accounts actually in their possession and ready for payment at the date of receipt of this order.

After the funds are deposited, all accounts presented for payment from appropriations of last fiscal year will be forwarded to the Quartermaster General for settlement through the Treasury.

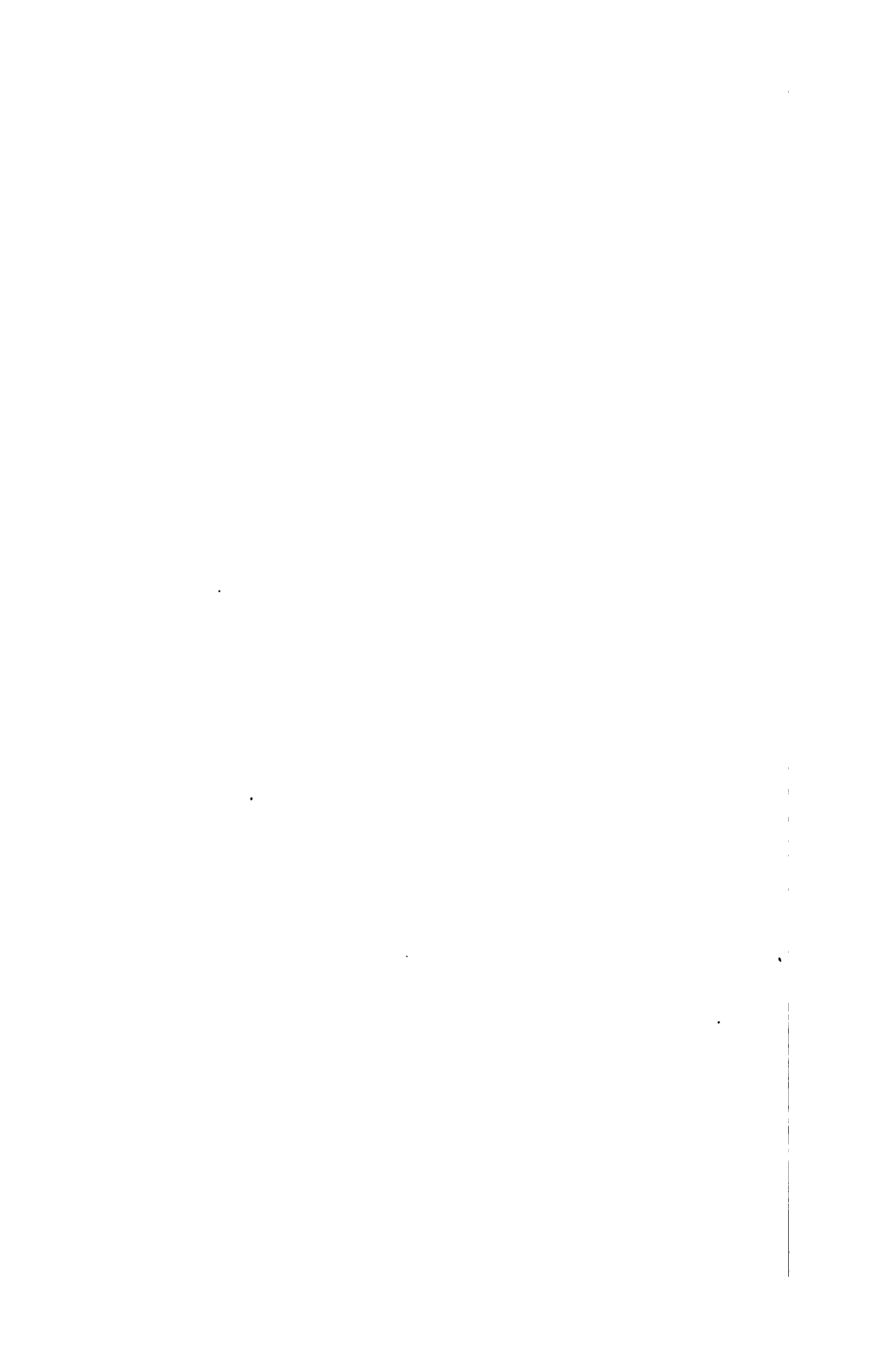
The appropriations for National Cemeteries are excepted from the operations of this order.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 124. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, November 14, 1874.*

To facilitate the distribution of clothing to the several posts and stations, Division Depots will be established at San Francisco, Omaha, and Fort Leavenworth, and the distribution will be made under the direction of the Division Quartermasters, as follows:

In the Military Division of the Pacific, from the Depot at San Francisco.

In the Military Division of the Missouri—

In the Departments of Dakota and the Platte, from the Depot at Omaha.

In the Departments of the Missouri and Texas, from the Depot at Fort Leavenworth.

In the Military Division of the Atlantic, from the General Depot at Philadelphia.

In the Military Division of the South, from the General Depot at Jeffersonville.

The estimates from the several posts and stations will be consolidated in the office of the Chief Quartermaster of each Division, and a copy thereof will be forwarded to the Office of the Quartermaster General, with request for such supplies as may be necessary to keep the several Depots in working condition.

The post and company requisitions, approved by military commander, will be filled at the Division and at the General Depots, when counter-signed by the Division Quartermasters.

As the supply of clothing is now not in excess of absolute wants, it is necessary that great care be used not to call for more than the regulation allowance.

For this purpose, the instructions of General Orders No. 114, of 16th September, 1874, Adjutant General's Office, will be scrupulously observed.

The Sub or Division Depots will be kept supplied from the General Depots at Philadelphia and Jeffersonville, upon information from the

Division Quartermasters to the Quartermaster General, forwarded with the consolidated estimates, and at other times as needed.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 125. }

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

*Washington, November 17, 1874.*

An important part of the duty of a medical officer of the Army is the supervision of the hygiene of the post or command to which he is attached, and the recommendation of such measures as he may deem necessary to prevent or diminish disease among the troops.

For this purpose he shall at least once a month examine and note in the medical history of the post the sanitary condition of the quarters, including all buildings belonging to the post, the character and cooking of the rations, the amount and quality of the water supply, the drainage, and the clothing and habits of the men, and make a report thereon in writing to the commanding officer, with such recommendations as he may deem proper. If the recommendations be approved and carried out, the medical officer shall note the fact in the medical history of the post. If the action recommended be deemed impracticable or undesirable, the commanding officer shall indorse his objections on the report and forward it to the Department Commander. A copy of such indorsement shall be furnished to the medical officer, who shall record it in the medical history of the post.

The Annual Sanitary Reports now required from medical officers shall in future be forwarded through their commanding officers, who shall forward them through the regular channels, with such remarks as shall be deemed necessary.

The same course will be taken with the Special Sanitary Reports called for by Circular Orders No. 2, Surgeon General's Office, October 15, 1874, which, as modified, is as follows:

Medical officers will forward, with the Sanitary Reports of December 31, 1874, a special report on the following subjects, to be made as full and be as carefully prepared as possible, as the results are desired for publication:

I. On the food of the Army, its quantity, quality, and mode of preparation. What is the character of the articles forming the regular ration as furnished to the post? What is the average amount of saving for post fund? What articles of food, and in what amount, are purchased by the post fund, obtained from post garden, or by hunting or fishing? Ice, how obtained and in what quantities furnished?

How is the cooking done for the men? Give bill of fare for a week at different seasons. Is the food of the men inspected daily? How often is it inspected by the medical officer? Have any complaints been made by the men about the food, and have any cases of disease occurred which may be attributed to the food or its mode of preparation? If so, specify. Character of kitchen and bakery fixtures. Has any special apparatus, such as the Warren cooker or the felt box, been tried? If so, give results. Character and amount of extra articles furnished by the Commissary Department for



officers' use. Diet of the sick, and hospital fund. Remarks, suggestions, and recommendations.

II. Duties of medical officers in scouting parties and expeditions. Nature and amount of medical supplies required; how carried. Means of transportation for wounded. Remarks.

III. On military punishments and their effect on the health and morale of the soldier. Give instances, recommendations, etc.

IV. Personal cleanliness of the men. What are the post regulations, if any, with regard to bathing? What facilities are afforded? How often are the men's blankets washed?

The above report must be forwarded promptly through the proper channel to the Medical Director on or before January 1st. Medical directors will forward them through the Department Commanders, with their own observations and comments on the points above referred to.

The medical history of the post shall be kept with the hospital records and shall not be removed therefrom. It shall be open to the examination of the commanding officer, and the attention of Inspecting officers is especially directed to this book, and they will report the manner in which it is kept.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 126. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, November 20, 1874.*

#### RECRUITING SERVICE.

The Army having been reduced to 25,000 men, as contemplated by the appropriation act of June 16, 1874, recruiting will be resumed under restrictions as herein provided.

The results of the operation of General Orders No. 102, October 10, 1873, for pardoning deserters who surrendered, have developed certain important facts. A very large proportion of the surrendered deserters were already deserters from one or more other branches of the military or naval service than the one in which their original service was due. There were several instances of repeated desertions and subsequent fraudulent enlistments by the same man. A large proportion were men of bad character, and many of them of broken-down constitution. Only about one-fourteenth of the whole number surrendered were an actual gain in number to the Army; the rest have all been discharged or have again deserted.

The fact is also developed that men have repeatedly been discharged on expiration of service with such characters as would enable them to enlist at another post, where they were unknown, when their company commanders refused to re-enlist them.

The Army under the late orders for its reduction should be well purged of its worthless element. But it is to be expected that these men will seek to impose themselves again on some company when recruiting is recommended. To avoid this, and also to put some check on the restlessness apparent among enlisted men in frequent applications for transfer or discharge, and in desertion, the following restrictions are imposed upon the Recruiting Service until further orders:

There will be no enlistments made by company officers, or at posts, except that men may be "re-enlisted" or enlisted in their own companies, or in some other company at the post where they are discharged. With this exception, all enlistments for the Army must be made by officers on the General Recruiting Service, unless special authority is given in any case by the Adjutant General of the Army. The application in such case must bear evidence of the known good character of the soldier recommended for enlistment.

Officers on the General Recruiting Service must use every care, in person, to avoid the enlistment of minors, or bad men. The Boards of Examination at Recruiting Depots must reject every man ascertained to have borne an unsatisfactory character on any previous enlistment.

While precautions are thus taken for providing only good *personnel* for the Army, it is enjoined upon commissioned officers to endeavor, by a reasonable attention to the comfort of their men and a strict regard to their just rights, to attach them to the military service. Especially are officers warned not to intrust too much authority or discretion to non-commissioned officers, who may be tempted to a tyrannical exercise of power.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 127. }

WAR DEPARTMENT.  
ADJUTANT GENERAL'S OFFICE,  
Washington, November 28, 1874.

General Orders No. 118, of 1874, is republished, with addition, as follows:

1.. The following Act and Resolution of Congress, relative to the settlement of accounts of Disbursing Officers, are *republished* for the information and guidance of all concerned:

"AN ACT to provide for the more prompt settlement of the accounts of Disbursing Officers," approved July 17, 1862.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the passage of this act, any officer or agent of the United States who shall receive public money which he is not authorized to retain as salary, pay, or emolument, shall render his accounts monthly, instead of quarterly, as heretofore; and such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the proper accounting officer of the Treasury, and be mailed or otherwise forwarded to its proper address within ten days after the expiration of each successive month. And in case of the non-receipt at the Treasury of any accounts within a reasonable and proper time thereafter, the officer whose accounts are in default shall be required to furnish satisfactory evidence of having complied with the provisions of this act: and for any default on his part, the delinquent officer shall be deemed a defaulter, and be subject to all the penalties prescribed by the sixteenth section of the act of August sixth, eighteen hundred and forty-six, "to provide for the better organization of the Treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue:"* *Provided, That the Secretary of the Treasury may, if in his opinion the circumstances of the case justify and require it, extend the time hereinbefore prescribed for the rendition of accounts: And provided further, That nothing herein contained shall be construed to restrain the heads of any of the departments from requiring such other returns or reports from the officer or agent subject to the control of such heads of departments as the public interest may require.*

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"A RESOLUTION to facilitate the settlement of accounts of Disbursing Officers," approved March 2, 1867.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act entitled "An Act to provide for the more prompt settlement of the accounts of disbursing officers," approved July seventeen, eighteen hundred and sixty-two, as provides that "such accounts, with the vouchers necessary to the correct and prompt settlement thereof, shall be rendered direct to the proper accounting officer of the Treasury," be, and the same is hereby, repealed; and all such accounts and vouchers shall hereafter be sent to the bureau to which they pertain, and, after examination there, shall be passed to the proper accounting officer of the Treasury for settlement.*

II.. Irregularities in the mail service have no bearing upon the rendition of money accounts within the time prescribed by the act of July 17, 1862, and Disbursing Officers are required to have their accounts ready to be forwarded and deposited in the post office, at places where such offices are established, on or before the 10th day of each month.

III.. Under the provisions of the laws herein recited, all officers in rendering accounts which eventually pass to the Treasury Department for final settlement are required to send them *direct* to the bureau to which they pertain.

It is manifestly contrary to law to send such accounts through the headquarters of any commander, or other intermediate channel of communication.

To conform to law, such accounts, with the vouchers necessary to their settlement, will hereafter be sent direct to the bureau to which they pertain; and the same rule will be followed with respect to the transmission of returns of stores or property.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 128. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, November 30, 1874.

The use of serviceable tents or other canvas to cover laundresses' quarters, or for any purposes other than those for which such articles are furnished, *is strictly prohibited*, except in cases of emergency where their use is *absolutely necessary* to protect public property.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL;

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 129. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, December 1, 1874.*

ISSUES TO INDIANS.

General Orders No. 54. of 1872, from this Office, is still in force, and is *republished* for the information and guidance of all concerned :

In future no issue of rations or supplies will be made from the Army stores to Indians, except as allowed and restricted in the following paragraphs of the Revised Regulations for the Army of 1863 :

1202. When subsistence can be spared from the military supplies, the commanding officer is authorized to allow its issue, in *small quantities*, to Indians visiting military posts on the frontiers or in their respective nations. The return for this issue shall be signed by the Indian agent (when there is one present) and approved by the commanding officer of the post or station.

1203. Regular daily or periodical issues of subsistence to Indians, or issues of subsistence in bulk to Indian agents for the use of Indians, are forbidden.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 130.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, December 2, 1874.*

SALE OF UNIFORM CLOTHING.

The new uniform will not be sold to citizens employed in the public service.

At remote posts the sale to employes of such articles of the old uniform, including great-coats, foot, not blanket or cloth-lined, and not supplied with the extra cape, as may be on hand, and also of a moderate supply of under-clothing, not more than in the judgment of the commanding officer may be absolutely necessary to preserve health and efficiency, may be allowed.

The price to be the regulation price of the articles sold.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 131. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, December 3, 1874.*

The accompanying table of the price of clothing and equipage for the Army of the United States, with the allowance to each soldier for clothing in kind during each year of his enlistment, and the money allowance therefor for each month and year, is approved and published for the information and guidance of all concerned. It will take effect on the first of January, 1875, and will remain in force until further orders.

The allowance of Helmets and Dress Caps will be one the first and one the third year of enlistment.

Campaign Hats will be issued only to troops on the frontier, or in active campaign.

One Garrison, two Storm-flags, and two Halliards will constitute the yearly allowance for each post or garrison.

Old-pattern clothing, when not invoiced as "new Uniform," will be charged at the prices fixed in General Orders No. 75, A. G. O., 1871, and will be designated on the Return of Clothing, Camp and Garrison Equipage, as "old pattern."

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



Great Coat, lined with blanket.	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	each.
Uniform Coat, muslin's.	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	6 44	"
Uniform Coat, without chevrons	10 68	10 68	10 68	10 68	10 68	10 68	10 68	10 68	10 68	10 68	"
(Rescent, castle, shell) and flame, for Uniform Coats.	5	5	5	5	5	5	5	5	5	5	"
Blouse, lined.	4 35	4 39	4 39	4 39	4 39	4 39	4 39	4 39	4 39	4 39	"
" unlined	3 70	3 70	3 70	3 70	3 70	3 70	3 70	3 70	3 70	3 70	"
Stable frock											"
Overalls	3 98	3 98	3 98	3 98	3 98	3 98	3 98	3 98	3 98	3 98	per pair.
Trousers, private's, made	3 58	3 58	3 58	3 58	3 58	3 58	3 58	3 58	3 58	3 58	"
" " unmade	1 20	1 20	1 20	1 20	1 20	1 20	1 20	1 20	1 20	1 20	each.
Shirt, flannel.	1 66	1 66	1 66	1 66	1 66	1 66	1 66	1 66	1 66	1 66	per pair.
Drawers	30	30	30	30	30	30	30	30	30	30	"
Stockings	16	16	16	16	16	16	16	16	16	16	"
Berlin gloves.	23	23	23	23	23	23	23	23	23	23	"
Mittens, woolen.	3 88	3 88	3 88	3 88	3 88	3 88	3 88	3 88	3 88	3 88	"
Boots, brass screwed	2 38	2 38	2 38	2 38	2 38	2 38	2 38	2 38	2 38	2 38	"
Bootees	2 85	2 85	2 85	2 85	2 85	2 85	2 85	2 85	2 85	2 85	"
Buffalo Overboots	2 30	2 30	2 30	2 30	2 30	2 30	2 30	2 30	2 30	2 30	"
Arcle	2 50	2 50	2 50	2 50	2 50	2 50	2 50	2 50	2 50	2 50	"
" " buckle gaiters	4 65	4 65	4 65	4 65	4 65	4 65	4 65	4 65	4 65	4 65	each.
" " snow excluders	1 96	1 96	1 96	1 96	1 96	1 96	1 96	1 96	1 96	1 96	"
Blankets, woolen.	82	82	82	82	82	82	82	82	82	82	per pair.
Ponchos.											"
Chevrons, N. C. S. and 1st sergeants'											"
" sergeants'	20	20	20	20	20	20	20	20	20	20	"
" corporals'	35	35	35	35	35	35	35	35	35	35	"
" service, peace											"
" " war											"
" " pioneers and farriers											"
" device for Signal Corps											"
Stripes for trousers, N. C. S.	31	31	31	31	31	31	31	31	31	31	each.
" " sergeants'											"
" " corporals'											"

Materials sold to officers for their personal use should be charged at the following rates:

Dark-blue cloth, 6-4, (old stock.) \$2 65 per yard. Sky-blue kersey, (old stock, 6-4, \$1 80 per yard. Dark-blue flannel, 6-4, \$1 20 per yard.

Dark-blue cloth, 6-4, (new contract,) \$2 67 per yard.

Sky-blue kersey, 6-4, (new contract,) \$2 52 per yard.

*Prices at which Camp and Garrison Equipage will be charged in case  
of loss or damage.*

ARTICLES.	AM'T.	ARTICLES.	AM'T.
Iron bunk, without slats.....	\$4 50	Book, Regimental Gen'l Order..	\$1 56
Bedsack, double.....	1 71	"    "    Letter.....	1 51
"    single.....	1 56	"    "    Descriptive..	2 11
Mosquito bar.....	73	"    "    Index.....	87
Iron pot.....	82	"    "    Order.....	1 51
Camp kettle.....	44	Regimental books, set.....	7 56
Mess pan.....	30	Target Practice book.....	50 87
Ax.....	73	Tent, hospital.....	17 39
Ax-helve.....	15	fly, hospital.....	1 71
Ax-sling.....	31	poles, hospital, set.....	49
Hatchet.....	36	pins, hospital, set.....	70 66
"    helve.....	3	hospital, complete.....	21 80
"    sling.....	25	wall.....	8 43
Spade.....	61	fly, wall.....	1 25
Shovel.....	59	poles, wall, set.....	31 69
Pickax.....	67	pins, wall, set.....	10 98
"    helve.....	7	wall, complete.....	1 00
Drum, complete.....	3 45	common.....	13
"    head, batter.....	87	poles, common, set.....	12 11
"    "    snare.....	35	pins, common, set.....	4 35
"    sling.....	18	common, complete.....	2
"    sticks, pair.....	11	shelter.....	21 00
"    "    carriage.....	33	pin, hospital, large.....	72 70
"    cord.....	15	pin, wall, large.....	21 00
"    snares, set.....	11	pin, common, small.....	
"    case.....	29	Flag, garrison.....	
Trumpet, with extra mouth-piece.	1 45	storm.....	
Bugle.....	1 63	"    hallaids, garrison and	
Cord and tassel for trumpet or		storm.....	1 90
bugle.....	45	"    recruiting.....	4 67
Fife, B or C.....	17	"    hallaids, recruiting.....	13
Book, Company Clothing Acc't.	1 33	Colors, National, artillery and	
"    "    Order.....	55	infantry.....	27 56
"    "    Descriptive.....	71	Colors, Regimental, artillery and	
"    "    Morning Report.....	1 00	infantry.....	34 45
Company books, set.....	3 59	Standard, for mounted regiment	10 00
Book, Post Order.....	45	Guidon.....	4 44
"    Morning Report.....	40	Color belt and sling.....	1 57
"    Letter.....	45	Camp color.....	79
"    Guard Report.....	75	Stencil plates, set.....	1 65
Post books, set.....	2 05	Scrubbing brush.....	18

*Allowance of Clothing.*

ARTICLES.	First year.	Second year.	Third year.	Fourth year.	Fifth year.	Total for five years.
Helmet, cavalry, light artillery, and signal corps, with trimmings complete.....	1		1			2
Dress cap, with trimmings complete.....	1		1			2
Campaign hat, complete.....	1	1	1	1	1	5
Forage cap.....	1	1	1	1	1	5
Forage cap-cover.....	1	1	1	1	1	5
Uniform coats.....	2	1	1	1	1	6
Trousers.....	3	2	3	2	3	13
Shirts.....	3	3	3	3	3	15
Drawers.....	3	2	2	2	2	11
Boots.....	1	1	1	1	1	5
Bootees.....	2	2	2	2	2	10
Stockings.....	4	4	4	4	4	20
Blouses.....	2	2	2	2	2	10
Great coat.....	1					1
Stable frock for mounted men.....	1		1			2
Overalls for engineers and mounted men....	1	1	1	1	1	5
Blanket, woolen.....	1		1			2
Blanket, rubber, for foot troops.....	1	1	1	1	1	5
Poncho, rubber, for mounted troops.....	1	1	1	1	1	5
White Berlin gloves, pairs.....	8	8	8	8	8	40
* Buffalo or Arctic overshoes, pairs.....	1		1			2
* Great coat lined with blanket.....	1					1
* Mittens, woolen, pairs.....	2	2	2	2	2	10

\* Buffalo overshoes, woolen mittens, and great coats lined with blanket can only be issued to troops stationed at posts specified in General Orders No. 9, A. G. O., series of 1871; and General Orders No. 13, A. G. O., series of 1873.



FED

Copper

Cavalry and Light Artillery.

7 15

1 41

5 76

1 41

1 85

7 24

2 92

20 12

2 95

8 26

7 1

20 4

# FED MEN

## CORPORALS.

	Cavalry and Light Artillery.	Signal Corps.	Artillery and Infantry.
7 27	\$7 50	\$6 41	
4 41	4 55	4 41	
5 76	5 30	5 00	
4 41	4 55	4 41	
4 85	4 99	4 44	
7 24	90 00	78 7	
2 92	54 60	49 4	
9 12	70 80	60 2	
2 92	54 60	49 4	
8 20	59 88	53 6	
20 40	329 88	291 41	







GENERAL ORDERS }  
No. 132.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, December 8, 1874.

The following Opinion of the Attorney General of the United States is published for the information of all concerned :

**OPINION.**

• DEPARTMENT OF JUSTICE.

WASHINGTON, November 11, 1874.

Hon. W. W. BELKNAP,  
*Secretary of War.*

SIR: I have considered the question referred to me, from your Department, on the 15th of September last, viz: "Whether, under existing laws, the right of property in the arms issued for arming the militia of the United States, is vested in the State authorities, with power to dispose of them by sale or otherwise, without accounting to the United States."

This question, it would seem, from the papers submitted, has been suggested by facts of recent occurrence, which are especially connected with the quota of arms due, under the statutes relating to the arming of the militia, to the State of Virginia. It appears that the Governor of that State made requisitions upon the Chief of Ordnance for about 2,307 revolvers, to be drawn as a portion of the said quota. To meet these requisitions, the latter officer, in July last, gave, to an agent of the State, orders, upon the manufacturer, for that number of revolvers, to be delivered within a short period thereafter. Upon receiving these orders, the agent, acting under the directions of the Governor, proceeded to New York, and, in behalf of the State, entered into contracts with certain parties for camp equipage. It was agreed that the contractors should receive, in payment for the camp equipage furnished the State, under their contracts, an assignment of the aforesaid orders, and that the delivery of the arms, by the manufacturer, should accordingly be made directly to them. But I understand that the Chief of Ordnance, having information of this transaction, and conceiving that the right of the State, to make such disposition of the arms, intended for the militia thereof, was not entirely free from doubt, directed the delivery of the revolvers, on said orders, to be withheld until that point is determined; and the determination of that point has been thought to depend on the solution of the question referred to me.

The laws in force, which provide for the furnishing of arms to the militia, by the general Government, are contained in the following sections of the Revised Statutes:

"SEC. 1661. The annual sum, of two hundred thousand dollars, is appropriated, to be paid out of any money in the Treasury, not otherwise appropriated, for the purpose of providing arms and equipments for the whole body of the militia, either by purchase or manufacture, by and on account of the United States.

"SEC. 1667. All the arms procured, in virtue of any appropriation, authorized by law, for the purpose of providing arms and equipments, for the whole body of the militia of the United States, shall be annually distributed to the several States of the Union, according to the number of their Representatives and Senators in Congress, respectively; and all arms, for the Territories and for the District of Columbia, shall be annually distributed in such quantities, and under such regulations, as the President may prescribe. All such arms are to be transmitted to the several States and Territories, by the United States.

"SEC. 1670. The Secretary of War is authorized and directed to distribute to such States as did not receive the same, their proper quota of arms and military equipments for each year, from eighteen hundred and sixty-two, to eighteen hundred and sixty-nine, under the provisions of section sixteen hundred and sixty-one: *Provided*, That in the organization and equipment of military companies and organizations with such arms, no discrimination shall be made between companies and organizations, on account of race, color, or former condition of servitude."

The provisions, of the above-named sections, have been taken from the act of April 21, 1868, ch. 55; the act of March 3, 1855, ch. 169; and the act of March 3, 1873, ch. 282.

By the first of those sections, (sec. 1661,) an annual appropriation is made "for the purpose of providing arms and equipments for the whole body of the militia." The next section (sec. 1667) provides for an annual distribution, among the several States and Territories, of the arms procured by means of such appropriation. It requires these arms to be transmitted by the United States, to the several States and Territories—the quota for each State to be according to the number of its Representatives and Senators, and the quota for each Territory, including the District of Columbia, to be according as the President may prescribe. The remaining section (sec. 1670) is only applicable to the particular case where a State did not receive its proper quota of arms and military equipments for any period from 1862 to 1869. It authorizes the Secretary of War, in that case, to distribute to such State its quota for that period, subject to the proviso therein contained.

In none of these sections, adverted to, is there any provision, which expressly vests the property in the arms, after their distribution, in the States absolutely; nor do I find anything therein, from which such a change of ownership results by necessary implication. To get at the intent and meaning of the existing laws, with reference to that point, it seems therefore proper to recur to the earlier legislation on the subject of arming the militia, and particularly to that part of it from which the provisions in the Revised Statutes have been taken.

The power of Congress, to legislate on that subject, is expressly conferred by the Constitution, (see Article I, sec. 8, par. 16;) and the first instance of the exercise of this power, by that body, is found in the act of May 8, 1792, entitled "An Act more effectually to provide for the national defense, by establishing an uniform militia throughout the United States." (1 Stat., 271.) There it consisted simply in requiring each enrolled militia man to "provide himself" with arms of a certain description, (see 1st section of that act.) This requirement is, however, reproduced in the Revised Statutes, (see section 1628,) and it constitutes now, as it did originally, what may be regarded the general law upon the subject of arming the militia—the other provisions of the Revised Statutes, upon the same subject, to which reference has been made, being auxiliary, and not substitutive, in their character.

Next followed the act of July 6, 1798, entitled "An Act providing arms for the militia throughout the United States." (1 Stat., 576.) By this act, thirty thousand stand of arms were authorized to be provided, at the expense of the Government of the United States, and "sold to the governments of the respective States, or the militia thereof," under such regulations, and at such prices as the President might prescribe. But its object was only to meet an immediate want then felt by some of the States, (especially the Southern,) the people whereof were generally destitute of arms, and could not easily supply themselves therewith. It sought to facilitate the procurement of arms by the latter, to a limited extent, by enabling them or their respective States to purchase the same from the United States. The act of April 2, 1808, authorizing the sale of public arms to the States, (2 Stat., 481,) though it does not purport to have been passed with a view to arming the militia, is of a piece with the act of 1798, and contemplated similar objects.

The act of April 23, 1808, entitled "An Act making provision for arming and equipping the whole body of the militia of the United States," (2 Stat., 490,) is the first statute that contains provisions of a general and permanent nature, for furnishing arms and equipments to the militia, by the United States; and it deserves to be well considered here, for the reason that some of the more important of its provisions, directed to that end, are embodied in one or two of the sections of the Revised Statutes above quoted. The 1st section of the act is in substance the same as section 1661 of the Revised Statutes. It appropriates the sum of two hundred thousand dollars, annually, "for the purpose of providing arms and military equipments for the whole body of the militia of the United States, either by purchase or manufacture, by and on account of the United States." The 3d section declares that the arms procured in virtue of the act "shall be transmitted to the several States composing this Union, and Territories thereof, to each State and Territory, respectively, in proportion to the number of the effective militia in each State and Territory, and by each State and Territory to be distributed to the militia in such State and Territory, under such rules and regulations as shall be by law prescribed by the legislature of each State and Territory." The rest of the act is not material in this connection.

The object of the annual appropriation, made by this act, is plainly expressed therein: it was to provide arms and equipments for the entire militia of the United States, so far as such appropriation would enable this to be done. That object was contemplated to be carried out, partly through the agency of officers of the general Government, and partly through the intervention of the State authorities. Thus the procuring of the arms with the means provided therefor, was, in the first place to be done by officers of the United States, who were then to transmit the same to each State and Territory, in proportion to the number of the effective militia thereof; whereupon the State and Territorial authorities were to distribute the arms so transmitted to them among the militia, in their respective States and Territories, under such rules and regulations as should be prescribed by the local laws. Accordingly, the States and Territories, with which arms were deposited under this act, must be deemed to have held them for a specific purpose only, and consequently (regarding the subject from a strictly legal point of view) to have had no right to divert them from that purpose by alienation or otherwise. They stood, as it were, in the situation of trustees, charged with the distribution of the arms, and had no other property therein than such as was necessary to enable them to perform that trust.



That the States and Territories, in contemplation of this statute, were to be vested with a qualified, not an absolute, ownership of the arms transmitted to them, is very manifest from its terms; which exclude the idea that a power to dispose of the arms, in any manner, and for any purpose, such as would be incident to absolute ownership alone, was intended, by which the very object of the law, viz: the arming of the militia, might be frustrated altogether. A similar view was taken by the Senate in 1855, by which it was then thought necessary, in order to enable the States and Territories to sell the arms theretofore distributed under the act of 1808, to make provision therefor by statute, as impliedly appears from the action of that body, in passing, by way of amendment to the army appropriation bill then pending before it, a section which provided: "That the Governors of the several States and Territories be, and they are hereby, authorized to sell, to the best advantage, the arms heretofore distributed, under the act of April 23, 1808, and invest the funds, arising out of such sales, in other arms more suitable for the purposes contemplated by said act: *Provided*, that no arms be so purchased or provided, except such as may be of the same description and caliber as those regularly adopted and in use in the Army of the United States." This amendment was not concurred in by the House, on the recommendation of the Committee of Ways and Means, and so it did not become a law. Yet while the negative action of the House cannot, with certainty, be attributed to a difference of view, as to the power of the States and Territories over such arms under the then existing laws, (for it may have proceeded from a doubt as to the expediency of the proposed measure,) the affirmative action of the Senate can assuredly be taken as an indication of its sense with respect to such power, and that was clearly this, that the power, whatever it might be, did not include the right to alienate the arms without the consent of Congress.

But to look at the subject from another stand-point. I have already adverted to the fact that the power of Congress, to provide for the arming of the militia, is expressly conferred by the Constitution. It is not maintained that this power is exclusively vested in Congress. It is merely an affirmative power, and if not in its own nature incompatible with the existence of a like power in the States, it may well leave a concurrent power in the latter; so that if Congress did not choose to make any provision for arming the militia, it would be competent to the States to do it in such manner as they might think proper. But when once Congress has carried this power into effect, its laws, for the arming of the militia, are the supreme law of the land; and all interfering State regulations must necessarily be suspended in their operation, (*Houston v. Moore*, 5 Wheat. 51.) Now it appears that, in the exercise of this power, and with a view to provide for the national defense, Congress had undertaken to furnish arms for the militia at the expense of the general Government. The kind and pattern of arms to be thus furnished, were left to the determination of the officers of the general Government; and hence such arms as were procured and transmitted by these officers, to the States and Territories, for the militia thereof, must be regarded as arms specifically provided therefor by the paramount law. This being the case, is it not obvious that the State and Territorial authorities could not rightfully exchange those arms for others of a different kind or pattern, and distribute the latter to the militia in place of the former?—or sell the arms so provided, and invest the proceeds of the sale in other property which such authorities might conceive to be more needful to promote the efficiency of the militia? In either of these cases, the action of the State and Territorial authorities would manifestly be in direct collision with the supreme law of the land.

Still it is to be observed that the statute, under consideration, made no provision for any accountability to the United States, in regard to the disposition of the arms, after their delivery to the State and Territorial authorities. When that took place, the control of the officers of the general Government over the arms ceased; and whether the future destination or use of the property was consistent with the design of the statute, depended wholly upon the good faith of the States and Territories themselves. Practically, then, they might do what they pleased with it, though the disposition made of it, by them, should defeat the ends of the statute; for no way existed, as I conceive, to compel the execution of the trust devolved upon them.

By the 7th section of the act of March 3, 1855, (10 Stat., 639,) the annual distribution of arms to the States, which, under the act of 1808, was made in proportion to the number of the effective militia thereof, was required to be made according to the number of their Representatives and Senators in Congress, respectively; and, in regard to the Territories and the District of Columbia, the arms were, by the same section, required to be distributed, in such quantities, and under such regulations as the President, in his discretion, might prescribe. These provisions are substantially embodied in section 1667 of the Revised Statutes. They modify the previous law no further than to introduce a new basis for making distribution of the arms to the States and Territories, which thenceforth took the place of the one originally prescribed.

Thus the law remained, touching the transmission of arms to the several States and Territories for the militia, up to the time of the adoption of the Revised Statutes; and I discover nothing, in the provisions of the latter, indicative of an intention, on the part of Congress, to clothe the States with any right of property in the arms thereafter to be transmitted to them, other or different from that which they had in the arms theretofore deposited with them. The purpose of the annual appropriation thereby provided is the same precisely as was that of the similar appropriation, provided by the statute formerly in force, viz: to furnish arms for the militia. The basis, upon which the arms are to be distributed to the States, is likewise the same as that previously established, (*i. e.* by the act of 1855, cited above;) and they are required to be transmitted to the several States by the United States. It is true that in the Revised Statutes there is no clause expressly directing the arms to be distributed by each State to the militia thereof, as there was in the former statute; but the omission, to insert any such clause therein, is not to be understood as signifying an intent to relieve the States from that charge. The inference necessarily follows, from the declared purpose for which the appropriation, for procuring the arms, is made, that they are to be transmitted to the States for distribution among the militia, and for that object solely; and, an express direction to that effect, not being therefore really needed, it is probable that, for this reason, none was inserted.

Viewing the provisions of the Revised Statutes, above quoted, in connection with the previous legislation, I am unavoidably brought to the conclusion that, in contemplation of those provisions, the arms, transmitted to the States thereunder, are to be held by them for a specific purpose only, which is pointed out therein; that they therefore become, strictly speaking, invested with nothing more than a qualified property in such arms; and that they cannot, as a matter of right, and without thereby interfering with the regulations of Congress, on a subject over which its authority is necessarily paramount, make any disposition or use, of such arms, which defeats the purpose referred to, though, if this should be done, there would seem to be no remedy without further legislation by Congress.

In answer, then, to the question propounded, I have the honor to state that, in my opinion, the States do not, by the existing laws, have "the right of property in the arms, issued for arming the militia," if an absolute right of property is there meant; and that they derive no authority, under those laws, to sell or dispose of such arms, at their pleasure. As I have already observed, the statute makes no provision for any accountability whatever, to the general Government, respecting the disposition of the arms, when they have once been delivered to the States; Congress, having seen fit to leave it entirely to the good faith of the latter, after the delivery takes place, to carry out the purpose contemplated in furnishing the arms.

In regard to the actual case here presented, which concerns a part of the quota, of arms, due the State of Virginia, I may add that the disposition of the revolvers, here-inbefore mentioned, recently sought to be made, by the authorities of that State, would clearly have been unwarranted by the existing laws of Congress, on the subject of arming the militia. It was accordingly very proper for the Chief of Ordnance to withhold the delivery of the revolvers to the parties to whom the orders issued therefor had been assigned. He could not, under those laws, recognize any right, in such parties, to the revolvers. But the arms cannot be indefinitely withheld from the State: the statute requiring them not only to be annually distributed, but to be transmitted to it by the general Government. After this is accomplished, the officers of the latter have nothing further to do with the arms so transmitted.

I am, sir, very respectfully, your obedient servant,

GEO. H. WILLIAMS,

*Attorney General.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

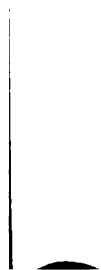
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

100

100



GENERAL ORDERS }  
No. 133. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, December 16, 1874.*

I.. Medical officers in charge of hospitals, and company commanders, will hereafter not be permitted to dispose of any portion of the savings on rations except to the Subsistence Department.

II.. Whenever articles forming the component part of the ration are required for the use of companies or hospitals in addition to the quantities issued by the Government, they must be purchased from the Subsistence Department.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND.  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
No. 134. } ADJUTANT GENERAL'S OFFICE,  
Washington, December 21, 1874.

General Orders Nos 24 and 101, of 1874, from this Office, are revoked.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





**I N D E X**

**OF**

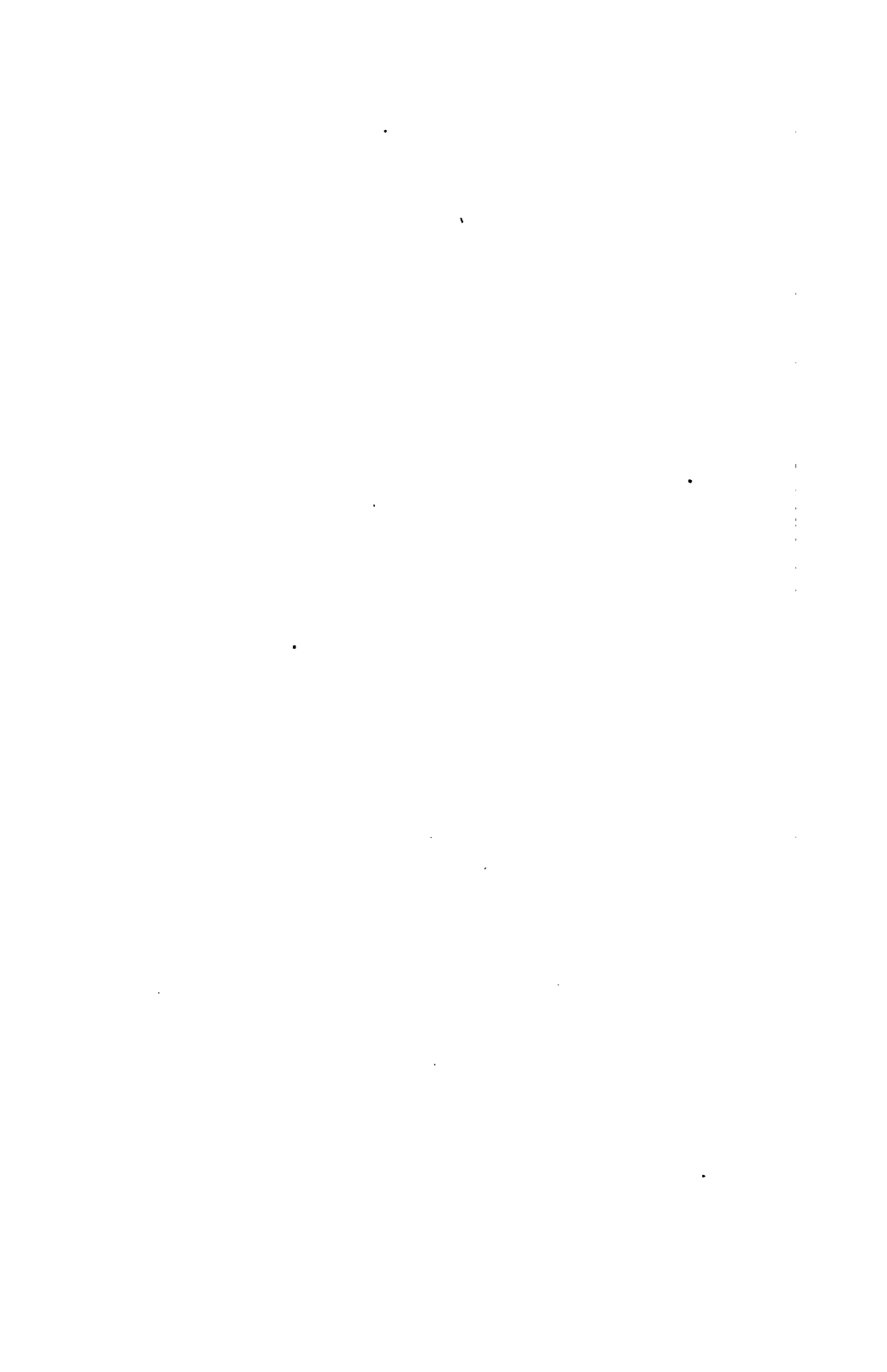
**GENERAL ORDERS,**

**ADJUTANT GENERAL'S OFFICE,**

**1875.**

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**WASHINGTON:**  
**GOVERNMENT PRINTING OFFICE.**  
**1876.**



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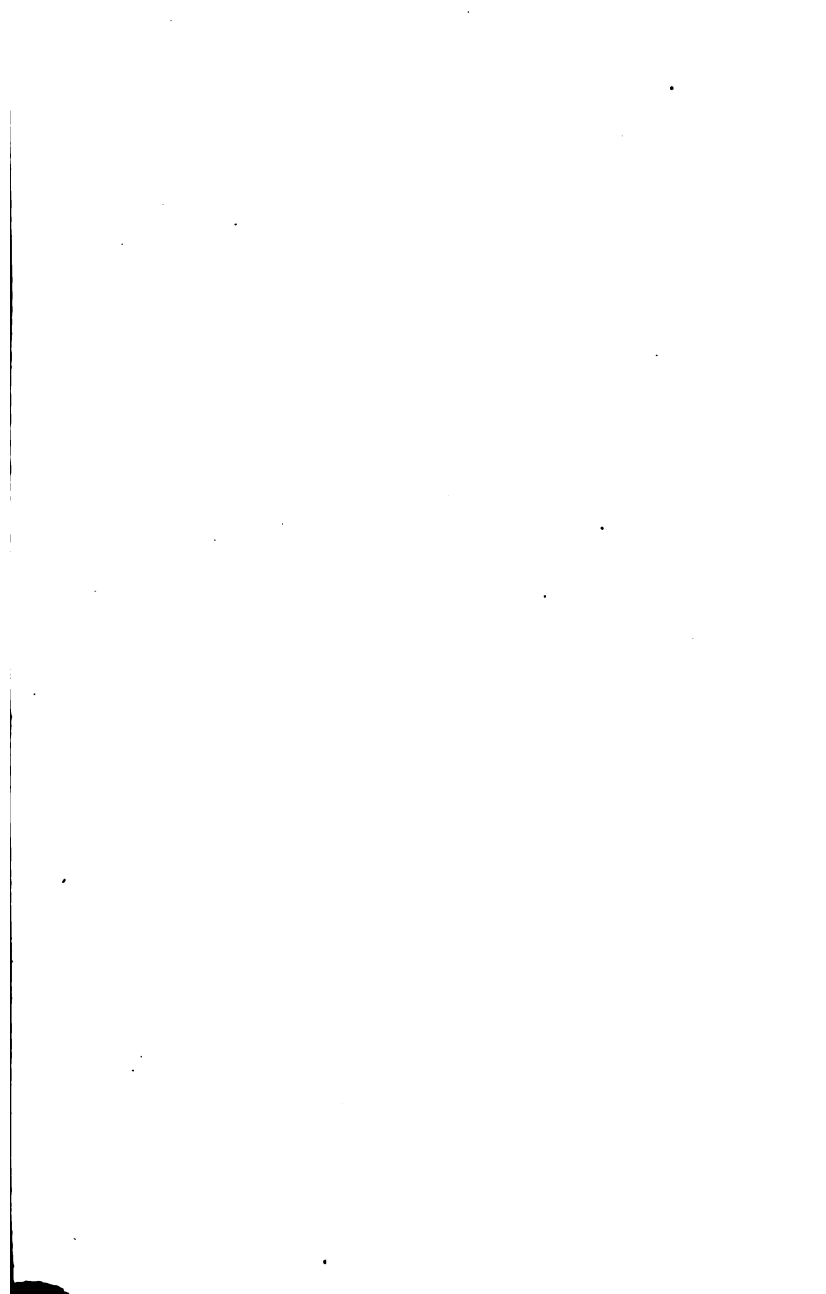
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GENERAL ORDERS }  
No. 1. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, January 2, 1875

Whenever a Disbursing Officer of the War Department receives a Treasury draft on a depository not specially designated for the use of this Department, he will endorse the draft and deposit it to his official credit in some one of the depositories so designated and in use under orders from this office.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

NOTE.—General Orders No. 134 is the last of the series for 1874.

1. The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the human brain, and the second part to a description of the results of the experiments.

GENERAL ORDERS }  
No. 2. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, January 18, 1875.*

I..The words "*but without breaking packages until issues are to be made,*" contained in Paragraph 1022. Revised Regulations of 1863, will not be construed as prohibiting the breaking of packages of arms and other Ordnance stores, except only such as are hermetically sealed, like oils, paints, &c. The responsibility for non-examination of all other Ordnance stores must rest with the receiving officer, and his receipts for stores will be conclusive as to his responsibility.

II..Officers in making out discharges will observe great care that the age of the soldier *at date of discharge* is correctly given. It frequently happens that discharges show the soldier's age to be the same as when he first entered upon the term of service from which he is about to be discharged, thereby occasioning inaccurate records.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

[REDACTED]

[REDACTED]

GENERAL ORDERS }  
No. 3. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, January 25, 1875.*

As an exact record, in lawful form, of the baptisms, marriages, deaths, and funerals at which Chaplains have officiated may, at some time, prove of great importance to the parties concerned, or their descendants; and as many such ceremonies are performed also for citizens, in the absence of any proper civil officer, by military Chaplains, whose records contain the only evidence thereof:

*It is therefore ordered,* That Chaplains of the Army prepare a book and enter therein an accurate record of all marriages, baptismal and funeral services which they may have performed, and may in future perform, both for civilians and persons in the military service at the posts at which they are stationed, or in the vicinity thereof, with such particulars relative to each case as may be of importance. This book must be considered as a part of the records of the post, and will be subject to inspection by Inspecting Officers.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



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GENERAL ORDERS }  
No. 4. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, January 27, 1875.*

As the resemblance between the words *Bootees* and *Boots*, when not very clearly and carefully written, leads to errors in filling requisitions, the use of the words "Bootee" and "Bootees" will be discontinued, and the Infantry shoe will hereafter in all official papers and correspondence be designated as a *Shoe*.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 5. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, January 28, 1875.*

The Military Post on the north side of the mouth of the Columbia River, Washington Territory, now called Fort Cape Disappointment, will hereafter be known and designated as "Fort Canby," in honor of the late Brigadier and Brevet Major General *Edward R. S. Canby*, U. S. Army, who was murdered by Modoc Indians April 11, 1873, while holding conference in the vicinity of the Lava Beds, Oregon.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }  
No. 6. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, January 29, 1875.*

Commanding officers of posts will, in consultation with their medical officers, prepare and forward to the Adjutant General, through the regular channels, by March 15, 1875, or as soon thereafter as practicable, a report on the clothing and accouterments now issued and used by enlisted men of the Army, with regard to their sufficiency, suitability to their purpose, and quantity, and their effects, if any, on the health of the wearers, with remarks and recommendations.

They will also report at the same time on the occupations of the enlisted men, the amount of drill and other military duties, and in general on the character and amount of bodily labor and exercise incurred during the past year, with regard to its effects upon the health of troops.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND.

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }  
No. 8.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, February 4, 1875.

The following Acts of Congress are published for the information and government of all concerned :

I...AN ACT suspending so much of the act entitled "An Act re-organizing the several staff-corps of the Army," approved June twenty-third, eighteen hundred and seventy-four, as applies to contract-surgeons.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act entitled "An Act re-organizing the several staff-corps of the Army," approved June twenty-third, eighteen hundred and seventy-four, as applies to contract-surgeons, be, and is hereby, suspended until otherwise provided by law.*

*Approved January 1, 1875.*

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II...AN ACT donating condemned cannon to the City of Massillon, Ohio, for monumental purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized to deliver, if the same can be done without detriment to the Government, four condemned iron cannon and sixteen cannon balls to each of the following-named organizations for the purpose of ornamenting the burial grounds of deceased soldiers : To the City of Massillon, Ohio ; To Post No. 139, Grand Army of the Republic, at Somerville, Massachusetts.*

*Approved January 19, 1875.*

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III...AN ACT to provide for compensating the officers of the Government in observing the Transit of Venus.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the regular compensations and allowances to all officers of the Government in the parties engaged in observing the Transit of Venus shall be paid from the appropriations*



for the support of the branches of public service to which the said officers are severally attached.

*Approved January 22, 1875.*

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*

GENERAL ORDERS } WAR DEPARTMENT,  
No. 9. } ADJUTANT GENERAL'S OFFICE,  
Washington, February 8, 1875.

Paragraph 781, Revised Infantry Tactics, having been amended since the publication of the first edition, the following is published as the correct paragraph, and will be observed accordingly :

781. The guard of a camp, or garrison, turns out and presents arms to the commander of the camp, or garrison, whenever he approaches its post.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*

[REDACTED]

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GENERAL ORDERS }  
No. 10. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, February 9, 1875.*

I...The third paragraph of General Orders No. 9, War Department, Adjutant General's Office, February 8, 1871, is hereby modified as follows:

There will be issued, when the necessity of such issue is certified by the Department Commander, an overcoat lined with blanket or cloth, according to the established allowance; one pair of buffalo or arctic overshoes in the first and third years, and two pairs of good woolen mittens in each year. These articles, when issued, will be charged to the soldier at cost price.

II...Paragraphs 31 and 32 of General Orders No. 51, War Department, Adjutant General's Office, June 22, 1872, are hereby modified to read as follows:

31. Balances stated upon the muster-rolls as due the United States will, after collection and deposit by Paymasters, be designated by the Paymaster General for credit of the appropriation for "Clothing, camp and garrison equipage," for the fiscal year to which the period embraced in the settlement belongs.

32. Balances stated upon final statements will be treated with regard to the fiscal year in which the soldier is discharged; those paid to the soldier being charged to "Pay of the Army," and those due United States being designated by the Paymaster General, after collection and deposit by Paymasters, for credit of "Clothing, camp and garrison equipage."

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 11.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

*Washington, February 10, 1875.*

I...All men who, having surrendered as deserters from the Navy or Marine Corps under the President's proclamation of pardon published from the War and Navy Departments in 1873, have received discharges from the Navy or Marine Corps, and are now doing duty in the Army under enlistments contracted during the desertion in question, will be dropped from the rolls of the Army upon the date of the receipt of this order at the posts where they may be serving. This action is taken in view of the decision which has been made, that their Army enlistments while deserters are "fraudulent and null as contracts." Final statements will be furnished in each case, together with notice to the Paymaster concerned of the action taken, but no discharge certificates will be given.

II...Under the circumstances, payment to date when dropped, as above provided, will be made from the current appropriation for "Pay, &c., of the Army," and upon the basis of settlement prescribed in existing orders from this office—No. 88, series of 1873, and No. 4, series of 1874—in cases of deserters from the Army under like circumstances.

This basis may be briefly stated as follows:

Unsettled accounts of pay and allowances for time previous to date of last payment prior to surrender to be wholly ignored. Account for pay to be regarded as covering time from date of surrender to date when dropped, with the usual travel allowances to place of fraudulent enlistment in the Army. No pay due for time between date of last payment prior to surrender and date of surrender; if already received, amount to be charged on final statements. No retained pay whatever to be credited on final statements. No allowance to be made of increased pay under act of August 4, 1854, for service in the Army. The final statements to exhibit all data necessary to settlement on this basis.

III...This order will not be regarded as requiring the discharge of any man who may have been enlisted in the Army after having received a discharge from the Navy or Marine Corps, the recruiting officer being in ignorance of the fact that he had deserted from either of those branches of the service; but whenever such fact of desertion shall be known, it will be regarded as a bar to enlistment in the Army. In case, however, of such enlistments no benefit can accrue to the soldier for previous time served in the Army.

IV...In the cases of soldiers who may hereafter be discovered to be deserters from the Navy or Marine Corps the men will be dropped from the rolls of the Army. In all such cases reports will be forwarded with descriptive rolls to the Adjutant General's Office, and the men held without pay, awaiting instructions.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 12. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, February 11, 1875.*

In order to properly carry out the provisions of the act of Congress approved February 10, 1875, to provide for the relief of persons suffering from the ravages of grasshoppers upon the western frontiers, it is ordered by the President that the Commanders of the Departments of the Platte, Missouri, and Dakota shall cause to be made as soon as practicable an enrollment of the inhabitants of the States and Territories within those Departments who have been rendered destitute by the ravages aforesaid, which enrollment will, as far as practicable, group families together; giving the name of each person entitled to relief—children under twelve years of age to be rated separately. The time during which food may be required to be issued, and the most available points for issue, will be stated on all the rolls, and such other useful information as the officers having charge of the distribution may need. Applicants for supplies should make a statement on blanks furnished them of their resources convertible with safety to their families into a supply of food, and the names of such persons as may be found to have resources so convertible shall not be placed on the rolls until such resources are exhausted. It shall be the duty of the Department Commander to revise, as often as he may consider necessary, the rolls referred to, and correct the same from time to time as the exigencies of the case may require.

As fast as the rolls are made up they will be turned over in duplicate, under direction of the Department Commanders aforesaid, to the proper officers of the Subsistence and Quartermaster's Departments, who shall be designated to issue such food and clothing as may be provided under the appropriation made by the act; and the officers selected will issue the same upon the rolls furnished them, and will carry out the instructions of the Quartermaster and the Commissary General respecting the issue of the clothing, and purchase and issue of the food, as above provided.

Requisitions upon the Treasury for the amounts to be placed in the hands of the officers selected to disburse this fund will be made in the usual manner, and the disbursements will be accounted for under the rules in force respecting other disbursements in the Subsistence Department.



The transportation of the food and other supplies issued is to be considered a proper charge upon the appropriation made by this act.

The following is a copy of the act:

AN ACT to provide for the relief of persons suffering from the ravages of grasshoppers.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he hereby is, authorized to direct the issue, through the proper officers of the Army temporarily, of supplies of food and disused Army clothing sufficient to prevent starvation and suffering and extreme want to any and all destitute and helpless persons living on the western frontier, who have been rendered so destitute and helpless by ravages of grasshoppers during the summer last past, and to report to Congress such issue of food and clothing. And the sum of one hundred and fifty thousand dollars, or as much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the provisions of this act.

SEC. 2. That this act shall expire on the first day of September, eighteen hundred and seventy-five.

*Approved February, 10, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 13. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, February 18, 1875.

*Gratuitous Issues of Clothing.*

I...To enable the Department to determine between cases coming under the provisions of Paragraph 55, Appendix B, Revised Army Regulations of 1863, and those in which relief can only be afforded by special act of Congress, recommendations for gratuitous issues of clothing to replace articles lost by fire, flood, or other casualty, should in all cases be accompanied by full and specific information of the facts and circumstances attending the loss; and where relief is claimed under the provisions of said paragraph it should be so stated, and the data called for therein should be furnished, viz: report of Board of Survey in each case, setting forth the facts, with copies of the orders under which the clothing was lost, showing that it was lost, not by the fault of the men, but in obedience to orders given by sufficient authority. In this connection attention is invited to General Orders No. 23, May 30, 1868, from this office, relative to gratuitous issues to replace clothing destroyed to prevent contagion.

II...The monthly reports of Commissary Sergeants, required by General Orders No. 38, of March 20, 1873, will be forwarded through the Post Commander and Chief Commissary at Department Headquarters to the Adjutant General of the Army, to note and refer to the Commissary General of Subsistence.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 14. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, February 19, 1875.

The following Act of Congress is published for the information and government of all concerned :

AN ACT making appropriations for fortifications and other works of defense for the fiscal year ending June thirtieth, eighteen hundred and seventy-six.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the following fortifications and other works of defense, for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, namely :

For Fort Preble, Portland Harbor, Maine, ten thousand dollars.

For Fort Scammel, Portland Harbor, Maine, twenty thousand dollars.

For completing batteries on Gerrishe's Island, and at Jerry's Point, Portsmouth Harbor, New Hampshire, twenty thousand dollars.

For battery at Portland Head, Portland Harbor, Maine, twenty thousand dollars.

For Fort Warren, Boston Harbor, Massachusetts, twenty-five thousand dollars.

For battery at Long Island Head, Boston Harbor, Massachusetts, thirty thousand dollars.

For Fort Adams, Newport Harbor, fifteen thousand dollars.

For fort on Dutch Island, west entrance to Narragansett Bay, Rhode Island, twenty thousand dollars.

For Fort Trumbull, New London Harbor, Connecticut, twenty thousand dollars.

For fort on Willet's Point, East River, New York, twenty-five thousand dollars.

For Fort Schuyler, East River, New York, twenty-five thousand dollars.

For Fort Hamilton and additional batteries, New York Harbor, New York, ten thousand dollars.

For Fort Wadsworth, Staten Island, New York Harbor, five thousand dollars.

For fort on the site of Fort Tompkins, Staten Island, New York Harbor, New York, twenty thousand dollars.

For Battery Hudson, New York Harbor, New York, fifteen thousand dollars.

For battery at Finn's Point, Delaware River, New Jersey, twenty-five thousand dollars.

For fort opposite Fort Delaware, Delaware River, twenty-five thousand dollars.

For Fort Mifflin, Delaware River, Pennsylvania, twenty-five thousand dollars.

For Fort McHenry, Baltimore Harbor, Maryland, twenty thousand dollars.

For Fort Monroe, Hampton Roads, Virginia, twenty thousand dollars.

For Fort Moultrie, Charleston Harbor, South Carolina, fifteen thousand dollars.

For Fort Pulaski, Savannah River, Georgia, twenty-five thousand dollars.

For Fort Taylor and batteries, Key West, Florida, fifteen thousand dollars.

For Fort Jackson, Mississippi River, Louisiana, twenty-five thousand dollars.

For Fort Pickens, Pensacola Harbor, Florida, twenty-five thousand dollars.

For Fort Saint Philip, Mississippi River, Louisiana, twenty-five thousand dollars.

For Fort Morgan, entrance to Mobile Bay, Alabama, twenty-five thousand dollars.

For fort at Fort Point, entrance to San Francisco Harbor, California, twenty-five thousand dollars.

For fort at Lime Point, San Francisco Harbor, California, twenty thousand dollars.

For fort on Alcatraz Island, harbor of San Francisco, California, twenty-five thousand dollars.

For torpedoes for harbor defenses, and preservation of the same, one hundred and twenty-five thousand dollars: *Provided*, That the money herein appropriated for torpedoes shall only be used in the establishment and maintenance of torpedoes to be operated from shore-stations for the destruction of an enemy's vessel approaching the shore or entering the channel and fairways of harbors.

For contingencies of fortifications, seventy-five thousand dollars.

For surveys and reconnaissances for sea-coast defenses, thirty thousand dollars.

*Approved February 10, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



## GENERAL ORDERS }

No. 15.

## WAR DEPARTMENT.

ADJUTANT GENERAL'S OFFICE.

*Washington, March 3, 1875.*

The Secretary of War with regret announces to the Army the death of Brigadier General LORENZO THOMAS, Brevet Major General, U. S. Army, on the retired list, and late Adjutant General. He died at his residence in this city the 2d instant.

But few officers have served so actively and continuously through so long a period as General THOMAS. Energetic of character and vigorous of constitution, he was enabled to be in the field throughout much of both the Florida and Mexican wars. His training as Adjutant of the 4th Infantry developed his fitness for duties in the Staff, which he performed zealously and efficiently, first in the Quartermaster's, and then in the Adjutant General's Department. In the latter Department, at its first organization, he was commissioned Major and Assistant Adjutant General, July 7, 1838. In the war with Mexico he was Adjutant General and Chief of Staff to Major General BUTLER, both while commander of a Division of Volunteers and commander of the Army. His experience and systematic administrative powers were conspicuous in the final movements and the withdrawal of the Army in Mexico.

Early in the War of the Rebellion he became Adjutant General of the Army by succession, and was afterward specially assigned to the duty of organizing Volunteer troops, particularly the colored regiments. He was brevetted Major General 13th March, 1865. Having passed beyond the age of 62 years, he was placed on the retired list of the Army in February, 1869.

General THOMAS was a man of generous and kindly disposition, who in his day has done much good in the communities where he lived.

In respect to his memory the officers of the Adjutant General's Department will wear the usual badge of mourning for thirty days.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 16. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 8, 1875.

The following Acts of Congress are published for the information and government of all concerned:

AN ACT for the relief of General Samuel W. Crawford, and to fix the rank and pay of retired officers of the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the retirement as a colonel, on February nineteenth, eighteen hundred and seventy-three, for disability on account of a wound received in battle, of Brevet Major General S. W. Crawford, United States Army, be, and the same hereby is, so amended that the said Crawford shall be retired and be borne on the retired list of the Army as a brigadier general, he having held the rank of brigadier general at the time he was wounded: *Provided,* That his retired pay as brigadier general shall commence from the passage of this act.

SEC. 2. That all officers of the Army who have been heretofore retired by reason of disability arising from wounds received in action shall be considered as retired upon the actual rank held by them, whether in the regular or volunteer service, at the time when such wound was received, and shall be borne on the retired list and receive pay hereafter accordingly; and this section shall be taken and construed to include those now borne on the retired list placed upon it on account of wounds received in action: *Provided,* That no part of the foregoing act shall apply to those officers who had been in service as commissioned officers twenty-five years at the date of their retirement; nor to those retired officers who had lost an arm or leg, or has an arm or leg permanently disabled by reason of resection on account of wounds, or both eyes by reason of wounds received in battle; and every such officer now borne on the retired list shall be continued thereon notwithstanding the provisions of section two, chapter thirty-eight, act of March thirty, eighteen hundred and sixty-eight; and be it also provided that no retired officer shall be affected by this act, who has been retired or may hereafter be retired on the rank held by him at the time of his retirement, and that all acts or parts of acts inconsistent herewith be, and are hereby, repealed.

*Approved March 3, 1875.*

ILL...AN ACT for the relief of Major N. H. McLean, late of Adjutant General's department, United States Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and is hereby, authorized to appoint Major Nathaniel H. McLean, late of the United States Army, to fill the first vacancy which may occur in the lowest grade of the Adjutant General's department, or if he shall deem it best, to reinstate and retire him with the rank to which he would have attained in service at the date of the passage of this act.*

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 17. }

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

*Washington, March 9, 1875.*

Under authority of the act of March 3, 1875, section 1, entitled "An Act for the relief of General *Samuel W. Crawford*, and to fix the rank and pay of retired officers of the Army," the President of the United States directs that the retirement, as promulgated in Paragraph 2, Special Orders No. 38, from this office, dated February 19, 1873, be amended so as to place General *Crawford* on the retired list of the Army with the rank of Brigadier General, to date from February 19, 1873, with pay of that grade from date of the act.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 18. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 11, 1875.*

The President directs the following assignments and changes of commands:

I...Brigadier General AUGUR is relieved from command of the Department of Texas and assigned to command the Department of the Gulf, to relieve Colonel EMORY.

II...Brigadier General ORD is relieved from command of the Department of the Platte and assigned to command the Department of Texas.

III...Brigadier General CROOK will be relieved in command of the Department of Arizona by Colonel A. V. KAUTZ, 8th Infantry, and is assigned to command the Department of the Platte.

IV...Colonel KAUTZ is assigned to duty according to his brevet of Major General.

V...On being relieved by Brigadier General AUGUR, Colonel W. H. EMORY, 5th Cavalry, will report in person to the Adjutant General of the Army.

VI...The limits of the Department of the Missouri are hereby extended the northern boundary of Texas.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No 19. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 12, 1875.

The following Acts of Congress are published for the information and government of all concerned :

I...AN ACT fixing the number of paymasters in the Army of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the number of paymasters is hereby established at fifty, instead of sixty, as was designated in the eighteenth section of the act of July twenty-eighth, eighteen hundred and sixty-six ; said paymasters to have the rank, pay, and emoluments of majors of cavalry.*

SEC. 2. That so much of said eighteenth section as relates to the persons from whom said paymasters shall be selected be, and is hereby, repealed.

*Approved March 2, 1875.*

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II...AN ACT in relation to the Quartermaster's Department, fixing its status, reducing its numbers, and regulating appointments and promotions therein.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Quartermaster's Department of the Army shall hereafter consist of the Quartermaster General, with the rank, pay, and emoluments of a brigadier general ; four assistant quartermasters general, with the rank, pay, and emoluments of colonels of cavalry ; eight deputy quartermasters general, with the rank, pay, and emoluments of lieutenant colonels of cavalry ; fourteen quartermasters, with the rank, pay, and emoluments of majors of cavalry ; and thirty assistant quartermasters, with the rank, pay, and emoluments of captains of cavalry.*

SEC. 2. That no more appointments shall be made in the grade of military storekeepers in the Quartermaster's Department, and this grade shall cease to exist as soon as the same becomes vacant by death, resignation, or otherwise of the present incumbents.

SEC. 3. That no officer now in service shall be reduced in rank, or deprived of his commission by reason of any provision of this act.



SEC. 4. That no officer shall be promoted or appointed in the Quartermaster's Department in excess of the organization prescribed by this act, and that so much of section six of the act approved March third, eighteen hundred and sixty-nine, entitled "An Act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," as applies to the Quartermaster's Department, be, and the same is hereby, repealed.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 20. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 12, 1875.

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT to authorize the promulgation of the general regulations for the government of the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of section twenty of the act approved July fifteenth, eighteen hundred and seventy, entitled "An Act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-one, and for other purposes," as requires the system of general regulations for the Army therein authorized to be reported to Congress at its next session, and approved by that body, be, and the same is hereby, repealed; and the President is hereby authorized, under said section, to make and publish regulations for the government of the Army in accordance with existing laws.*

*Approved March 1, 1875.*

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II..AN ACT approving the action taken by the Secretary of War under the act approved July fifteenth, eighteen hundred and seventy, and to provide for repayment of certain moneys paid to officers mustered out of the Army, as super numerary, but subsequently reappointed by the President.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the action heretofore taken by the Secretary of War to cause the year's pay and allowances granted by the act approved July fifteenth, eighteen hundred and seventy, entitled "An Act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-one, and for other purposes," to such commissioned officers of the Regular Army as were, under the said act, mustered out of the service of the United States, to be refunded when any of the said officers have been, or shall be, again commissioned in the Regular Army, is hereby approved.*

SEC. 2. That hereafter whenever any person, who was mustered out as a supernumerary officer of the Army with one year's pay and allowances, in addition to the pay and allowances due him at the date of his discharge, under the provisions of the act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-one, and for other purposes, approved July fifteenth, eighteen hundred and seventy, shall be reappointed by the President, an officer of the Army, such appointment shall be under, and with the express condition, that fifty per cent. of such officer's pay shall be stopped monthly, until the sum total of the extra year's pay and allowances received by him, when mustered out as aforesaid, shall have been refunded to the United States.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 21.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, March 12, 1875.

The following Acts of Congress are published for the information and government of all concerned :

I..AN ACT to authorize the Secretary of War to give permission to extend the Hygeia Hotel at Fortress Monroe, Virginia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized to grant permission to Samuel M. Shoemaker, owner of the Hygeia Hotel at Fortress Monroe, Virginia, to enlarge the said hotel in such a manner as may be compatible with the interests of the United States, upon the terms and conditions set forth in joint resolution of the second session of the Fortieth Congress, House of Representatives, numbered forty-six.*

*Approved February 19, 1875.*

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II..AN ACT to provide for settlements with certain railway companies.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War and Attorney General are hereby authorized and empowered jointly to adjust and settle the claims of the United States against—*

The Alexandria, Loudon and Hampshire,

The Edgefield and Kentucky,

The Knoxville and Kentucky,

The McMinnville and Manchester,

The Mobile and Ohio,

The Memphis, Clarksville and Louisville,

The Memphis and Little Rock,

The Nashville and Northwestern,

The Southwestern Branch Pacific Railroad of Missouri, and

The Selma, Rome and Dalton Railroad Companies, and all persons and corporations having any interest in the subject growing out of the sale and transfer by the United States of any rights or property to said railway companies above named, respectively, in the years eighteen hundred and sixty-five and eighteen hundred and sixty-six, or both, by

making such abatement in the amount of such claims, respectively, as shall be deemed just, in respect of an overvaluation, if any, of the property sold, not exceeding twenty-five per centum of the valuation of the property in each case, as made under the authority of the War Department on the occasion of such sales: *Provided*, That such settlements shall be made within one year next after the passage of this act; and that good and sufficient security be given to the United States by or on behalf of the parties in interest, respectively, who do not pay in cash at the time of settlement, for the payment, with interest, of such sums as shall, on such settlements, be so found due, at such times within ten years as may be agreed upon.

SEC. 2. That this act shall not be construed so as to produce or authorize any delay in the prosecution of said claims respectively other than as aforesaid; and each of said claims not so settled and disposed of as aforesaid shall be prosecuted and enforced according to existing obligations. In such settlements no allowance shall be made in respect of any matter occurring prior to such sales and transfers, nor otherwise, except such payments as may have been made in cash, and such credits for transportation as the general course of the business regulations of the Departments authorizes. And in any such settlements, the said Secretary and Attorney General shall, as a condition thereof, take a full release from the other parties, respectively, of all claims and demands of every name and nature theretofore existing, if any such there be, against the United States.

*Approved February 27, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 22. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, D. C., March 13, 1875.

I..The increased expenses of the Army on account of the appropriation for regular supplies of the Quartermaster's Department has rendered necessary a reduction of the allowances of fuel and forage.

II..Paragraph No. 1121 of the Army Regulations is modified as follows: The forage ration for horses is twelve pounds of hay and ten pounds of oats, corn, or barley. For mules, twelve pounds of hay and eight pounds of oats, corn, or barley. In special cases of hard service or exposure, the Quartermaster General may authorize the ration of grain to be increased not more than five pounds, when recommended by the Chief Quartermaster of a department, or of an army in the field.

III..In barracks, twelve pounds of straw per month for bedding will be allowed to each man and company woman. The allowance and change of straw for the sick is regulated by the surgeon. One hundred pounds per month is allowed for bedding to each horse and mule in public service.

IV..The number of rooms and quantity of fuel for officers and men are as follows :

	Rooms.			Cords of wood per month.	
	As quarters.	As kitchen.	As office.	From May 1 to Sept. 30.	From Oct. 1 to April 30.
The General, (see note, p. 2.)					
The Lieutenant General or a Major General.....	5	1	.....	1	5
A Brigadier General or Colonel.....	4	1	.....	1	4
A Lieutenant Colonel or Major.....	3	1	.....	1	3
A Captain or Chaplain.....	2	1	.....	1	2
A Lieutenant.....	1	1	.....	1	1
The General Commanding the Army.			3	.....	3
The Commanding Officer of a geographical division or department.....			2	.....	2
An Assistant or Deputy Quartermaster General, an Assistant Commissary General of Subsistence, an Assistant Surgeon General, the Assistant Judge Advocate General, the Assistant and Deputy Paymaster General, and the Chief Quartermaster and Chief Commissary of Subsistence at the headquarters of a geographical division or department, each.....			2	.....	2

	Rooms.			Cords of wood per month.	
	As quarters.	As kitchen.	As office.	From May 1 to Sept. 30.	From Oct. 1 to April 30.
The Commanding Officer of a regiment or post, a Paymaster, Quartermaster, Assistant Quartermaster, Commissary of Subsistence, Military Storekeeper, and Medical Storekeeper, each			1		1
An Assistant Adjutant General, an Inspector General or Assistant Inspector General, an Engineer Officer, an Ordnance Officer, a Judge Advocate, a Medical Purveyor, and the senior Medical Officer, when stationed on duty at any place not in the field, each			1		1
* Except at Military Academy.					
An Acting Assistant Quartermaster, an Acting Commissary of Subsistence, a regimental or post Adjutant, when approved by the Quartermaster General, each			1		1
A Wagon and Forage-master, Sergeant-major, Ordnance Sergeant, Saddler Sergeant, Quartermaster Sergeant, Commissary Sergeant, Hospital Steward, Regimental Veterinary Surgeon, Chief Trumpeter, and Principal Musician, each	1			$\frac{1}{2}$	1
Superintendent National Cemetery. (see note, p. 2)				$\frac{1}{2}$	1
Each non-commissioned officer, musician, private, and laundress				1-12	1-6
Each necessary fire for the sick in hospital at a military post or station, to be regulated by the Surgeon and commanding officer, not exceeding				$\frac{1}{2}$	2
For General Hospitals, when necessary, not exceeding, for each bed				1-12	1-6
Each Guard-fire, to be regulated by the commanding officer, not exceeding					3
Each necessary fire for military courts or boards, at a rate not exceeding					2
Storehouse of a Commissary, Quartermaster, and Medical Purveyor, when necessary, not exceeding					1
A regimental or post mess	1			$\frac{1}{2}$	1
Each employé of the Quartermaster or Subsistence Department to whom subsistence in kind is issued by the Government				1-12	1-6
For chapel, reading or school-room, one room and such fuel as may be necessary, to be provided upon the requisition of the Chaplain, approved by the commanding officer	1				

NOTES.—The allowance for fuel and quarters to the General of the Army of the United States, when his headquarters are in Washington, D. C., is at the rate of \$300 per month.

Superintendents of National Cemeteries are provided with Lodges at their respective Cemeteries. In cases where Lodges have not been erected, quarters will be assigned by special authority of the War Department.

The allowances above specified for offices will in no case be exceeded without authority from the Secretary of War.

V..Kindling wood may form a part of the *regular* issue of fuel in proportion equal to one-sixth of the whole allowance authorized, according to the scale of equivalents established by General Orders No. 13 of 1869, from this Office, and the rate of commutation therefor at each military post or station shall be the market price of kindling wood at the time such commutation occurs.

The foregoing allowances will take the place of those prescribed in Paragraph 1068, Revised Army Regulations, 1863.

VI..Merchantable hard wood is the standard; the cord is 128 cubic feet.

VII..Paragraphs 1068 and 1069 of the Regulations are modified so as to provide that in the issue of fuel the following scale of equivalents shall be used, the standard being merchantable oak wood, delivered, viz:

One cord of the standard oak wood equals—

One cord of merchantable oak;

One and one-fifth cord of yellow pine;

One and three-fourths cord of white pine, poplar, cottonwood, or other soft wood;

One thousand six hundred pounds of anthracite or bituminous coal.

VIII..In the issue of coals of the Pacific slope the following scale of equivalents shall be used, the standard being merchantable oak wood, delivered, viz:

One cord of the standard oak wood equals—

Two thousand five hundred pounds Rocky Mountain brown coal, Wahsatch range;

Two thousand six hundred pounds Mount Diablo, California, and Coose Bay, Oregon, brown coal;

Two thousand four hundred pounds Seattle, Washington Territory, brown coal;

Two thousand two hundred pounds Bellingham Bay, Washington Territory, brown coal; and

One thousand eight hundred pounds Nanaimo, Vancouver's Island, British Columbia, brown coal.

IX..A mess-room, and fuel for it, are allowed only when a majority of the officers of a post or regiment unite in a mess; never to less than three officers, nor to any who live in hotels or boarding-houses. Fuel for a mess-room shall not be used elsewhere or for any other purposes. [Par. 1072, Regulations.]



X..Fuel issued to officers or troops is public property for their use; what they do not actually consume shall be returned to the Quartermaster and taken up on his Quarterly Return; with this exception, however, that the fuel issued to troops and not actually used in quarters may be used in baking their bread. [Par. 1073.] Particular attention of officers is called to the foregoing provision.

XI..In October, November, December, January, February, March, and April the fuel is increased one-fourth at stations from the 38th to the 43d degree north latitude, and one-third at stations north of the 43d degree. (Substituted for Par. 1074, Revised Army Regulations.)

XII..All previous orders authorizing greater allowances than those herein given are revoked.

XIII..This order will go into effect on the date of its receipt at each military post and station.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 23. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 15, 1875.

The following extracts of an Act of Congress are published for the information and government of all concerned:

AN ACT making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the service of the fiscal year ending June thirtieth, eighteen hundred and seventy-six, for the objects hereinafter expressed, namely:*

\* \* \* \* \*

#### PUBLIC BUILDINGS AND GROUNDS.

For clerk in the Office of Public Buildings and Grounds, one thousand four hundred dollars

For messenger in the same office, eight hundred and forty dollars.

For the public gardener, one thousand four hundred and forty dollars.

For a landscape-gardener, one thousand eight hundred dollars.

For the laborer in charge of the water-closets in the Capitol, seven hundred and twenty dollars.

For a foreman and laborers employed in the public grounds, twenty-one thousand four hundred and fifty-six dollars.

For four laborers in the Capitol, two thousand eight hundred and eighty dollars.

For furnace-keeper in charge of heating apparatus under the old hall of the House of Representatives, eight hundred and sixty-four dollars.

For the following employes at the Executive Mansion, namely: For furnace-keeper, eight hundred and sixty-four dollars; two policemen, two thousand six hundred and forty dollars; one night watchman, nine hundred dollars; one night usher, one thousand two hundred dollars; and two doorkeepers, at one thousand two hundred dollars each, in all, eight thousand and four dollars.

For two draw-keepers for Navy-Yard and Upper bridges, and for fuel, oil, and lamps, one thousand six hundred dollars.

For watchman in Franklin Square, seven hundred and twenty dollars.

For the person in charge of the heating-apparatus of the Library of Congress, and other steam-heating apparatus in the central building, eight hundred and sixty four dollars.

For four watchmen in reservation numbered two, being the Smithsonian grounds, two thousand eight hundred and eighty dollars.

For watchman in Lincoln Square, five hundred and forty dollars.

For watchman at Lafayette Square, seven hundred and twenty dollars.

For watchman in Washington Circle, five hundred and forty dollars.

For one bridge-keeper at Chain Bridge, seven hundred and twenty dollars.

For watchman for circle at intersection of Massachusetts and Vermont avenues, five hundred and forty dollars.

For watchman at Rawlins' Square, and one at Pacific Place, at five hundred and forty dollars each; in all, one thousand and eighty dollars.

For watchman for Judiciary Square, seven hundred and twenty dollars.

For contingent and incidental expenses, two thousand dollars.

\* \* \* \* \*

#### WAR DEPARTMENT.

For compensation of the Secretary of War, eight thousand dollars; one chief clerk, at two thousand five hundred dollars; one disbursing-clerk, at two thousand dollars; two chief clerks of division, at two thousand dollars each; seven clerks of class four; six clerks of class three; six clerks of class two; fifteen clerks of class one; two messengers, nine laborers; seven watchmen for the Northwest Executive building; in all, seventy-eight thousand three hundred dollars.

For eight messengers, six thousand seven hundred and twenty dollars.

For contingent expenses of his office, twelve thousand dollars.

For the purpose of examining the rebel archives, and having copies furnished for the Government, six thousand six hundred dollars.

For postage on official matter of the War Department and its Bureaus, eighty-five thousand six hundred and sixty-nine dollars.

That so much of the act entitled "An Act to incorporate a National Military and Naval Asylum for the relief of totally disabled officers and men of the volunteer forces of the United States," approved March third, eighteen hundred and sixty-five, and of all acts amendatory thereof, as provides "that for the establishment and support of said asylum there

shall be appropriated all stoppages or fines adjudged against officers and soldiers by sentence of court-martial or military commission, over and above the amounts necessary for the re-imbursement of the Government or of individuals; all forfeitures on account of desertion from the service; and all moneys due deceased officers and soldiers which now are or may be unclaimed for three years after the death of such officers and soldiers," be, and the same is hereby, repealed, to take effect on and after the first day of April, eighteen hundred and seventy-five. And from and after April first, eighteen hundred and seventy-five, no clerk shall be employed or paid in any Department of the Government for services rendered under any provision of said act of March third, eighteen hundred and sixty-five, or the acts amendatory thereof. And from and after the first day of April, eighteen hundred and seventy-five, no money shall be appropriated or drawn for the support and maintenance of what is now designated by law as the "National Home for Disabled Volunteer Soldiers," except by direct and specific annual appropriations by law. And it shall be the duty of the managers of said home, on or before the first day of August in each year, to furnish, to the Secretary of War, estimates, in detail, for the support of said home for the fiscal year commencing on the first day of July thereafter; and the Secretary of War shall annually include such estimates in his estimates for his Department. And no moneys shall, after the first day of April, eighteen hundred and seventy-five, be drawn from the Treasury for the use of said home, except in pursuance of quarterly estimates, and upon quarterly requisitions by the managers thereof upon the Secretary of War, based upon such quarterly estimates, for the support of said home for not more than three months next succeeding such requisition. And no money shall be drawn or paid upon any such requisition while any balance heretofore drawn or received by said home, or for its use, from the Treasury, under the laws now or heretofore existing, and now held under investment or otherwise, shall remain unexpended. And the managers of said home shall, at the commencement of each quarter of the year, render to the Secretary of War an account of all their receipts and expenditures for the quarter immediately preceding, with the vouchers for such expenditures; and all such accounts and vouchers shall be authenticated by the officers of said home thereunto duly appointed by said managers, and audited, and allowed, as required by law for the general appropriations and expenditures of the War Department.

*In the Office of the Adjutant-General.*—One chief clerk, at two thousand dollars; nine clerks of class four; fifteen clerks of class three; twenty-

five clerks of class two; one hundred clerks of class one; three temporary clerks of class four; six temporary clerks of class three; twenty temporary clerks of class two; sixty temporary clerks of class one; ten messengers, at eight hundred and forty dollars each; in all three hundred and twenty thousand six hundred dollars; and the said temporary clerks are for one year only, and no longer: *Provided*, That the Adjutant-General be, and he is hereby, authorized, with the approval of the Secretary of War, to continue the services of not exceeding sixty-seven enlisted clerks, to be employed in copying the worn-out muster-rolls and records, and in examining war-claims, until the said work shall be finished; and of not exceeding sixty enlisted men to be employed as messengers and watchmen until the records of the Adjutant-General's Office can be collected in one safe building: *Provided*, That the number of enlisted men hereby authorized shall be reduced as soon as their services can be dispensed with without injury to the public service.

For contingent expenses, eight thousand dollars.

*In the Office of the Inspector-General.*—One clerk of class four; one messenger, at eight hundred and forty dollars; in all, two thousand six hundred and forty dollars.

*In the Office of Military Justice.*—One chief clerk, at two thousand dollars; one clerk of class four; one clerk of class three; two clerks of class two; four clerks of class one; one messenger, at eight hundred and forty dollars; in all, thirteen thousand eight hundred and forty dollars.

For contingent expenses, five hundred dollars.

*In the Signal Office.*—Two clerks of class four; one messenger, at eight hundred and forty dollars; in all, four thousand four hundred and forty dollars.

*In the Office of the Quartermaster General.*—One chief clerk at two thousand dollars; eight clerks of class four; ten clerks of class three; twenty-four clerks of class two; forty clerks of class one; eighteen copyists, at nine hundred dollars each; one female messenger, at thirty dollars per month; one messenger, at eight hundred and forty dollars; eight laborers, at seven hundred and twenty dollars; one engineer, at one thousand two hundred dollars; one fireman, at seven hundred and twenty dollars; one draughtsman, at eighteen hundred dollars; two assistant messengers, at seven hundred and twenty dollars each per annum; and five watchmen, at seven hundred and twenty dollars each; six temporary clerks of class two; ten temporary clerks of class one; ten

temporary copyists, at nine hundred dollars each; in all, one hundred and seventy-five thousand three hundred and twenty dollars.

For contingent expenses, seven thousand dollars.

*In the Office of the Commissary General.*—One chief clerk, at two thousand dollars; two clerks of class four; four clerks of class three; five clerks of class two; twelve clerks of class one; one messenger, at eight hundred and forty dollars; three laborers, at seven hundred and twenty dollars each; two watchmen, at seven hundred and twenty dollars each; in all, thirty-seven thousand eight hundred and forty dollars.

For contingent expenses, namely: office rent, repairs, and miscellaneous items, eight thousand dollars

*In the Office of the Surgeon General.*—One chief clerk, at two thousand dollars; eight clerks of class four; six clerks of class three; nine clerks of class two; one hundred and twenty clerks of class one, (twenty-eight of whom shall be temporary;) one anatomist at the Army Medical Museum, at one thousand six hundred dollars; one engineer in division of records and museum, at one thousand four hundred dollars; one messenger, at eight hundred and forty dollars; twenty-two watchmen and laborers, (six of whom are temporary,) at seven hundred and twenty dollars each; in all, two hundred and two thousand two hundred and eighty dollars.

For contingent expenses, blank books, stationery, binding, rent, fuel, and including rent of the Surgeon General's Office and the Army Medical Museum, seven thousand dollars.

*In the Office of the Chief of Ordnance.*—One chief clerk, at two thousand dollars; three clerks of class four; three clerks of class three; three clerks of class two; eight clerks of class one; one messenger at eight hundred and forty dollars; one laborer, at seven hundred and twenty dollars; in all, twenty-seven thousand five hundred and sixty dollars: *Provided*, That the Secretary of War is authorized to employ in said Bureau not exceeding eight enlisted men for one year.

For contingent expenses, namely: stationery, envelopes, wrapping-paper, for sending blanks to the arsenals, forts, permanent batteries, and troops in the field, telegrams, express charges, and incidentals of a similar nature, furniture, matting, carpets, oil-cloth, professional books for Ordnance Department library, pamphlets, and newspapers, two thousand dollars.

*In the Office of the Paymaster General.*—One chief clerk, at two thousand dollars; seven clerks of class four; eight clerks of class three;

fifteen clerks of class two; thirteen clerks of class one; one messenger, at eight hundred and forty dollars; four watchmen, at seven hundred and twenty dollars each; five laborers, at seven hundred and twenty dollars each; two temporary clerks of class two; three temporary clerks of class one; in all, seventy-seven thousand seven hundred and twenty dollars.

For contingent expenses, four thousand dollars.

*In the Office of the Chief of Engineers.*—One chief clerk at two thousand dollars; five clerks of class four; four clerks of class three; four clerks of class two; four clerks of class one; one messenger, at eight hundred and forty dollars, three laborers, at seven hundred and twenty dollars each; in all, thirty thousand eight hundred dollars.

For contingent expenses, namely: for stationery, office-furniture, miscellaneous and incidental expenses, including professional books, maps, and two daily Washington newspapers, three thousand dollars.

#### WAR DEPARTMENT BUILDINGS.

For compensation of superintendent of the building occupied by the War Department (two hundred and fifty dollars) and for one engineer, one thousand four hundred dollars; four watchmen and two laborers; in all, five thousand nine hundred and seventy dollars.

For labor, fuel, lights, and miscellaneous items for the said building, eight thousand dollars.

For superintendent of the building at the corner of Fifteenth and G streets, occupied as the Quartermaster General's Office, two hundred and fifty dollars.

For superintendent of the building occupied by the Paymaster General (two hundred and fifty dollars) and for five watchmen and two laborers; in all, five thousand two hundred and ninety dollars.

For rent of building and fuel and contingencies, twelve thousand five hundred dollars.

For superintendent of the building at the corner of Seventeenth and F streets (two hundred and fifty dollars) and for four watchmen and two laborers; in all, four thousand five hundred and seventy dollars.

For fuel for warming the entire building, including the Ordnance Office, and for operating the ventilating fan in summer, repairs of steam warming and ventilating apparatus, pay of engineer and fireman, and for general repairs and other incidental expenses, eight thousand dollars.

For superintendent of the building on Tenth street, occupied as the Surgeon General's Office, two hundred and fifty dollars.

\* \* \* \* \*

SEC. 3. That it shall be the duty of the heads of the several Executive Departments, and of other officers authorized or required to make estimates, to furnish to the Secretary of the Treasury, on or before the first day of October of each year, their annual estimates for the public service, to be included in the Book of Estimates prepared by law under his direction; and the Secretary of the Treasury shall submit, as a part of the appendix to the Book of Estimates, such extracts from the annual reports of the several heads of Departments and Bureaus as relate to estimates for appropriations, and the necessities therefor.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 24.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 16, 1875.

The following extracts of an Act of Congress are published for the information and government of all concerned :

AN ACT making appropriations for sundry civil expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, for the objects hereinafter expressed, for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, namely :*

PUBLIC PRINTING AND BINDING.

\* \* \* \* \*  
for the War Department, one hundred and twenty thousand dollars;  
\* \* \* \* \*

LIGHT-HOUSES, FOG SIGNALS, AND BEACONS.

\* \* \* \* \*  
Castle Pinckney light-station, South Carolina: For rebuilding tower on Castle Pinckney, Charleston Harbor, South Carolina, two thousand dollars.  
\* \* \* \* \*

Dry Tortugas Harbor light-station, Florida: For transferring light to an adjacent stair-tower of Fort Jefferson, Dry Tortugas Harbor, (Garden Keys,) Florida, five thousand dollars.  
\* \* \* \* \*

SURVEYING THE PUBLIC LANDS.

\* \* \* \* \*  
For the survey of Indian reservations and subdividing portions of the same, one hundred and ninety-one thousand eight hundred and twenty dollars: *Provided*, That the sum of one hundred thousand dollars thereof, or so much thereof as may be necessary, be applicable to the payment of such surveys executed prior to the end of the fiscal year ending June thirtieth, eighteen hundred and seventy-five.  
\* \* \* \* \*

## GOVERNMENT HOSPITAL FOR THE INSANE.

For the support, clothing, medical and moral treatment of the insane of the Army and Navy and revenue cutter service, and of all persons who may have become insane since their entry into the military or naval service of the United States and who are indigent, and of the indigent insane of the District of Columbia, in the Government Hospital for the Insane, one hundred and fifty thousand one hundred and seventy-one dollars.

\* \* \* \* \*

## COLUMBIA HOSPITAL FOR WOMEN AND LYING-IN ASYLUM AND OTHER CHARITIES.

\* \* \* \* \*

To complete the purchase of the ground around Columbia Hospital, twenty-five thousand dollars, which shall be available immediately.

For care, support, and medical treatment of seventy-five transient paupers, medical and surgical patients, in some proper medical institution in the city of Washington, or in the District of Columbia, under a contract to be formed with such institution, fifteen thousand dollars, or so much thereof as may be necessary, under the direction of the Secretary of the Interior.

\* \* \* \* \*

For the Freedmen's Hospital and Asylum in Washington, District of Columbia, namely, for subsistence, salaries and compensation, fuel and light, clothing, rent of hospital-buildings, medicines and medical supplies, forage and transportation, and miscellaneous expenses, forty-five thousand dollars.

\* \* \* \* \*

## ARMORIES AND ARSENALS.

For Rock Island Arsenal, Rock Island, Illinois:

For shop A: For a wood-working and gun-carriage shop for arsenal, one hundred and seventy-eight thousand dollars.

For shop F: For a rolling-mill and for forging-shop for the armory, seventy-five thousand dollars; and one hundred thousand dollars of said appropriation for shops A and F, shall be available immediately.

For furnishing power to the shops already built, eighteen thousand five hundred dollars.

For Rock Island bridge: For care and preservation of the bridge, thirteen thousand dollars; and this sum and the appropriation for said bridge for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, shall be expended in accordance with the joint resolution in relation to the Rock Island bridge, approved July twentieth, eighteen hundred and sixty-eight, and the contract between the United States and the Chicago, Rock Island and Pacific Railroad Company; and the Secretary of War shall, within six months from the passage of this act, notify said railroad company to remove, from said island and from the Mississippi River, all piers, abutments, embankments, erections, structures, or tracks connected in any way with the old bridge or tracks of said railroad company over or across said island or either branch of said river; and in case of refusal of said railroad company to comply with such notice for the period of six months, then it shall be the duty of the Attorney General of the United States to commence, or cause to be commenced, such legal proceedings against said railroad company as may be necessary to protect and enforce the rights of the United States in that behalf: *Provided, however,* The Secretary of War may permit the north pier of the old bridge to remain, in accordance with the joint resolution of Congress approved March third, eighteen hundred and seventy-three.

For sewers, building new roads, care and preservation of water-power, painting and care and preservation of permanent buildings and bridges, building fences and grading grounds, and repairs and extension of the railroad, fifteen thousand dollars.

For new machinery and shop-fixtures for shops, ten thousand dollars.

For Springfield armory, Springfield, Massachusetts: For repairs and preservation of grounds, buildings, and machinery, twenty thousand dollars.

For Benicia arsenal, California: For one carpenter's shop, thirty-five thousand dollars.

For continuing the boring of artesian well, or, if artesian water is procured, for putting down permanent iron pipe and turbine-wheel to force water to reservoir, five thousand six hundred and sixty-five dollars.

For repairing roads and building sewers and drains, three thousand dollars.

For permanent repairs of post, machinery for shops, and for fences, four thousand dollars.

For repairs of smaller arsenals, and to meet such unforeseen expenditures at arsenals as accidents or other contingencies during the year may render necessary, fifty thousand dollars.

To enable the Secretary of War to purchase Gatling guns for the Army and Navy, fifty thousand dollars.

For conversion and rifling of heavy guns, seventy-five thousand dollars.

And the Secretary of War is hereby directed to cause an examination to be made into the condition of the United States arsenals east of the Mississippi River, and to report to the next Congress how many of the same can be sold without interfering with the necessities of the military service, together with an estimate of the amount that can probably be realized from the sale of each of the same whenever such sale shall be directed by Congress.

That the Secretary of the Navy is authorized to dispose of the useless ordnance material on hand at public sale according to law, the net proceeds of which shall be turned into the Treasury; and an amount equal to the same is hereby appropriated, to be applied to the purpose of procuring a supply of material adapted in manufacture and calibre to the present wants of the service; but there shall be expended, under this provision, not more than seventy-five thousand dollars in one year; and in the case of sale of like materials in the War Department, the proceeds of which shall be turned into the Treasury, an amount equal to the net proceeds of such sale is hereby appropriated for the purpose of procuring a supply of material adapted in manufacture and calibre to the present wants of the war service; and there shall be expended in the War Department, under this provision, not more than seventy-five thousand dollars in any one year.

#### SIGNAL OFFICE.

Observation and report of storms: For expenses of the observation and report of storms by telegraph and signals, for the benefit of commerce and agriculture throughout the United States; for manufacture, purchase, or repair of meteorological and other necessary instruments; for telegraphing reports; for expenses of storm-signals, announcing probable approach and force of storms; for continuing the establishment and connection of stations at life-saving stations and light-houses; for instrument shelters; for hire, furniture, and expenses of offices maintained for public use in cities or ports receiving reports; for river reports; for maps and bulletins to be displayed in chambers of commerce and boards of trade rooms and for distribution; for books and stationery; and for incidental expenses not otherwise provided for, four hundred and fifteen thousand dollars; thirty thousand dollars of which shall be expended on the Atlantic coast south of Cape Hatteras: *Provided*, That no expendi-

ture shall be made or obligation incurred for any amount in excess of the sum hereby appropriated.

For completing the construction, and for maintenance and use of military telegraph-lines on the Indian and Mexican frontiers, and for the connection of military posts and stations, for the better protection of immigration and the frontier settlements from depredations, especially in the State of Texas, the Territories of New Mexico and Arizona, and the Indian Territory, eighty-eight thousand dollars: *Provided*, That the Secretary of War be, and he is hereby, authorized to pay the expenses of operating and keeping in repair the said telegraph-lines out of any money received for dispatches sent over said lines; any balance remaining after the payment of such expenses to be covered into the Treasury as a miscellaneous receipt; the money received in any one fiscal year to be used only in payment for the expenses of that year. And a full report of the receipts and expenditures in connection with the said telegraph-lines shall be made quarterly to the Secretary of War through the Chief Signal Officer. And the Chief Signal Officer shall have the charge and control of said lines of telegraph in the construction, repair, and operation of the same. And so much of this appropriation as may be necessary, not to exceed thirty thousand dollars in all, shall be used in constructing a telegraph-line from Fort Marcy to Fort Bayard, in New Mexico, and from Fort Bayard to Camp Grant, in Arizona.

#### NORTHERN AND NORTHWESTERN LAKES.

For continuation of the survey of the northern and northwestern lakes, one hundred and fifty thousand dollars.

#### MISCELLANEOUS OBJECTS.

For geographical surveys of the Territories west of the one hundredth meridian, forty thousand dollars.

For engraving and printing the plates and atlas-sheets accompanying the reports of the geographical surveys west of the one hundredth meridian, twenty thousand dollars.

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For collection and payment of bounty, prize money, and other claims of colored soldiers and sailors; salaries of agents and clerks; rent of office; fuel, lights, stationery, and similar necessities; office furniture and repairs; transportation of officers and agents, telegraphing and postage, seventy-five thousand dollars.

For the payment of bounties to sailors and marines under existing laws, fifty thousand dollars, or so much thereof as may be necessary.

For continuing the publication of the official records of the war of the rebellion, both of the Union and Confederate armies, fifty thousand dollars; which shall be available from and after the passage of this act; and where extra services are performed after office hours, and in addition to other regular duties by the clerks employed upon this work, they shall be paid such reasonable extra compensation therefor as the Secretary of War may determine.

For payment of costs and charges of State penitentiaries for the care, clothing, maintenance, and medical attendance of United States military convicts, confined in them, forty thousand dollars: and the unexpended balance of the appropriation made by act of June tenth, eighteen hundred and seventy-two, to provide for the erection of headstones upon the graves of soldiers in national cemeteries is hereby continued and rendered available for its original purposes.

That the sum of six hundred dollars be appropriated to compensate Messrs. Bryant and Rogers, architects, for plans and specifications for a military prison prepared and furnished to the United States commissioners on said prison at their request to enable them to complete a report ordered by the War Department in reference to the construction and cost of said military prison.

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To indemnify the States for expenses incurred by them in enrolling, equipping, and transporting troops for the defense of the United States during the late insurrection, and for arms and munitions of war taken for said purposes by the United States from States not in insurrection, two hundred and fifty thousand dollars.

To enable the Secretary of War to pay the claims of the Dakota volunteer forces, as examined and reported upon by Inspector-General James A. Hardie, United States Army, under the special act of Congress for that purpose, approved February twentieth, eighteen hundred and seventy-four, the sum of thirty-three thousand nine hundred and eighty dollars and thirty and one-half cents be, and the same hereby is, appropriated, out of any money in the United States Treasury not otherwise appropriated: *Provided, however,* That the proper accounting officers of the Treasury shall further examine, pass upon, and approve said claims in the same manner as was provided for the adjustment of the Montana war-claims under the act of March third, eighteen hundred and seventy-three.

To alter three stone buildings to fit them for the purpose of a military prison at Fort Leavenworth, Kansas, and to build a suitable wall around the building, one hundred thousand dollars: *Provided*, That the amount herein appropriated shall be so expended as to complete the work.

That there is hereby re-appropriated, for the payment of volunteers of Washington and Oregon Territories, who were engaged in the suppression of Indian hostilities therein in the years eighteen hundred and fifty-five and eighteen hundred and fifty-six, and for the payment of claims for services, supplies, and transportation incurred in the maintenance of said volunteers, and for horses, and other property lost or destroyed in said service, as provided for by the act of Congress, approved March second, eighteen hundred and sixty-one, entitled "An Act to provide for the payment of expenses incurred by the Territories of Oregon and Washington in the suppression of Indian hostilities therein in eighteen hundred and fifty-five and eighteen hundred and fifty-six," [the] sum of twenty-five thousand dollars.

For completing south wing of the State, War, and Navy Departments, under the direction of the Secretary of State, fifty thousand dollars; and for continuing work on the east wing of the building for the State, War, and Navy Departments, seven hundred thousand dollars, to be expended under the direction of the Secretary of War.

To enable the Secretary of War to pay George W. Seibert for grading streets and side-walks in front of the United States arsenal grounds in the city of Indianapolis, Indiana, six hundred and fifty-eight dollars; and to pay Michael Faust for grading and gravelling the same, and in the vicinity thereto, one thousand and fourteen dollars and ninety-nine cents.

For the completion of the military road from the city of Santa Fé to Ferdinandez de Taos, in the Territory of New Mexico, six thousand six hundred and forty-four dollars and eighty cents, in addition to the unexpended balance of the appropriation made by the act of March third, eighteen hundred and seventy-three, which is hereby continued and made available, to be expended under the direction of the Secretary of War.

The following sums, or so much thereof as may be necessary, are hereby appropriated for the purchase of the following sites for forts in the State of Texas, in accordance with the resolutions and recommendations of the board of officers appointed under act of March third, eighteen hundred and seventy-three, entitled "An Act to provide for the purchase, by the Secretary of War, of land for the United States for the sites of forts and military posts:" Fort Brown, twenty-five thousand



dollars; Fort Duncan, ten thousand dollars: Ringgold Barracks, ten thousand dollars: *Provided*, That before the payment of the money hereby appropriated, good titles shall be made to the United States for such land as contemplated by said act and said report; and no more than the amount appropriated shall be paid for such sites. And the Secretary of War is hereby authorized to accept for the United States, and free of expense to the same, a conveyance of the site of Fort McIntosh.

And the Congressional Printer is hereby authorized to print and bind five thousand additional copies of the Medical and Surgical History of the War of the Rebellion; one thousand of which shall be for the use of the Senate, three thousand for the use of the House of Representatives, and one thousand for distribution by the Surgeon General of the Army; and the Surgeon General is hereby authorized to continue on duty in his office the Acting Assistant Surgeons now employed on said history until the end of the next fiscal year.

For the construction of a pedestal for an equestrian statue, to be furnished by the association hereinafter named, of Major General James B. McPherson, who was killed at the battle of Atlanta, twenty-five thousand dollars: *Provided*, That the design of said pedestal shall be approved by the Secretary of War, the officer in charge of public buildings and grounds, and the corresponding secretary of the Society of the Army of the Tennessee, or a majority of them: *And provided also*, that it shall be erected in Scott Square, in the city of Washington, on or near its center, the ground of which shall be adapted to such erection by the discontinuance of the carriage-way connecting Vermont avenue, now running through said square; and said square shall be hereafter known as McPherson Square.

To enable the Secretary of War to acquire a full and perfect title to the "Brady collection of photographs of the war," and to secure by purchase the remainder now in the possession of the artist, twenty-five thousand dollars.

#### BUILDINGS AND GROUNDS IN AND AROUND WASHINGTON.

Improvement, repair, and care of public grounds: Of public buildings, grounds, and works in the District of Columbia, under the direction of the Chief of Engineers:

For filling the grounds south of the Executive Mansion, ten thousand dollars.

For sub-draining, and repairing, and regravelling the walks and roads of the Smithsonian Grounds north of the building, and for moving trees and construction of fountains, ten thousand dollars.

For completing the improvement of reservation between Third and Sixth streets, as per plan, ten thousand dollars.

For filling and grading reservation on Maryland avenue, lately occupied by the Agricultural Department, eight thousand dollars.

For ordinary care of, and extension to, green-houses, and propagating garden, three thousand dollars

For ordinary care of Lafayette Square, two thousand dollars.

For removal of fences on the eastern and western sides of the Agricultural Grounds during the present fiscal year, one hundred dollars.

For annual repair of fences, two thousand dollars.

For manure and hire of horses and carts, eight thousand dollars.

For painting iron fences, four thousand dollars.

For care and repair of seats, one thousand dollars.

For purchase and repair of tools, one thousand dollars.

For trees, tree-boxes, lime, and whitewashing, five thousand dollars.

For removing snow and ice, one thousand dollars.

For flowers, pots, twine, wire, and for Italian lycopodium, one thousand dollars.

For purchase of young trees and plants for nursery, and care of same, two thousand dollars.

For tree-markers, and marking the same, one hundred dollars.

For making cages and boxes for sparrows, five hundred dollars.

For abating nuisances, one thousand dollars.

For removing alanthus-trees from the public grounds condemned by the board of health, five hundred dollars.

For care of and repair to, the various fountains, one thousand dollars.

For completing the improvement of reservation number three, (Monument Grounds,) as per plan, twenty thousand dollars.

For taking up and relaying curb and flag south of the Executive Mansion, one thousand five hundred dollars.

For cutting down embankment on the nursery, one thousand two hundred and fifty dollars.

For repairing fountain south of the Executive Mansion, and for coping and center piece for same, three thousand dollars.

For fountains and watchman's lodge in Judiciary Square, five thousand dollars.

For purchase of three hundred seats for the public grounds, two thousand four hundred dollars.

For improving various reservations, fifteen thousand dollars.

For the Executive Mansion, as follows: For repairs, ten thousand

dollars; for refurnishing, ten thousand dollars; for fuel for the same and for the green-houses, five thousand dollars; for care of, and necessary repairs to, the green-houses, five thousand dollars.

For lighting the Capitol and the Executive Mansion, namely: For gas, thirty-five thousand dollars; for pay of lamp-lighters, gas-fitters, plumbers, plumbing lamps, lamp-posts, matches, material for the electrical battery, and repairs of all kinds, fifteen thousand dollars.

For new chandeliers for the corridors and passages of the House of Representatives to correspond with those in the Senate, five thousand dollars.

For fuel for watchmen's lodges, and for the green-house at the propagating-garden, one thousand dollars.

For repairing and extending water-pipes, purchase of apparatus to clean them, and for cleaning the springs that supply the Capitol, Executive Mansion, and War and Navy Departments, ten thousand dollars.

For annual repairs of bridges, such amount is hereby appropriated as may be turned into the Treasury from the sale of the old Anacostia bridge, on the completion of the new bridge.

Washington Aqueduct: For engineering, maintenance, and general repairs, fifteen thousand dollars; for building an iron truss-roof and for furnishing and setting galvanized-iron cornice on the gate-house at Great Falls, three thousand dollars: *Provided*, That the lands belonging to the United States and lying around the receiving-reservoir shall hereafter be controlled in connection with the Washington Aqueduct, and shall be under the charge and control of the officer in charge of said aqueduct: *And provided further*, That the chief engineer is hereby directed to notify the Washington and Georgetown Railway Company to remove their railway track from the Washington aqueduct bridge over Rock Creek, within one year from the date of said notice; and said company shall make such removal within the year aforesaid, and have the right to lay their tracks along Twenty-sixth street from Pennsylvania avenue to M street north, and thence along M street into Georgetown, to connect with their tracks on Bridge street; and said chief engineer may establish and publish regulations prohibiting the passage of heavily loaded wagons and carriages over said bridge.

For removing embankment and opening an alley along the west end of the building, corner of Seventeenth and F streets, nine hundred dollars.

## NAVY YARDS AND STATIONS.

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For the Navy Yard at League Island: For the continuation of work and removal of property from the Philadelphia Navy Yard, two hundred thousand dollars; which sum shall be available from and after the passage of this act: *Provided*, That the Secretary of the Navy, the Secretary of the Treasury, the Chief Engineer of the Army, and the chairman of the board of revision of taxes of the city and county of Philadelphia in the State of Pennsylvania, are hereby created a commission for the purpose of making sale and conveyance of all the lands, docks, wharves, real property and appurtenances, rights, interests, and privileges of the United States included within the limits of, and known as the navy yard in, the city of Philadelphia, in the State of Pennsylvania; that for the purpose aforesaid, they shall, if they think best for the public interest, have the said property divided into lots or plots, and laid out into blocks and streets, conforming, as far as the interests of the Government will permit, to the blocks and streets of the said city in the vicinity of the said navy yard; and they shall have the said property fairly appraised in such lots or portions as they think best, and shall have power to sell the same, or any portion thereof, at public auction, after thirty days notice in three daily papers of the largest circulation in the city of Philadelphia, at not less than the appraised value, to be paid for in cash within thirty days after making such sale, and, upon the receipt of such payment, to make good conveyance and title for the property sold and paid for to the purchasers or their assigns; that the money so received, less the necessary expenses of this commission, shall be paid into the Treasury of the United States, and an amount equal to the sum so paid in is hereby appropriated to be expended by the Navy Department in removing the movable property of the Philadelphia navy yard to League Island, and in building the necessary docks, wharves, shops, and buildings at League Island, and preparing the same for carrying on the business and work of a navy yard at that place: *Provided*, That not more than one-third of the appraised value of the said property hereby authorized to be sold shall be expended within the next fiscal year: *And provided also*, That the said commission shall make a definite and specific report of all their doings under this authority to Congress at its next regular session, and at each regular session thereafter while said sale shall remain uncompleted

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## PUBLIC BUILDINGS.

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And hereafter no money shall be paid nor contracts made for payment for any site for a public building in excess of the amount specifically appropriated therefor; and no money shall be expended upon any public building on which work has not yet been actually begun until after drawings and specifications, together with detailed estimates of the cost thereof, shall have been made by the Supervising Architect of the Treasury Department, and said plans and estimates shall have been approved by the Secretary of the Treasury, Secretary of the Interior, and the Postmaster General; and all appropriations made for the construction of such building shall be expended within the limitations of the act authorizing the same or limiting the cost thereof; and no change of said plan involving an increase of expense exceeding ten per centum of the amount to which said building was limited shall be allowed or paid by any officer of the Government without the special authority of Congress.

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SEC. 2. \* \* \* \* \* That the Secretary of War be, and he is hereby, authorized to detail a medical officer of the Army to investigate and report upon the reported existence and spread of cholera in Mexico and near the frontier of Texas, and should such epidemic invade the United States during the present year, it shall be the duty of said officer to give timely notice of the advance and spread of the disease, and to compile complete records of said epidemic, and to report the same through the President to Congress; and to defray the necessary expenses of this investigation, the sum of five thousand dollars is hereby appropriated, or so much thereof as may be required, to be expended under the direction of the Secretary of War.

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SEC. 4. That for experiments in testing iron and steel, including the cost of any machine built for such purpose, the sum of fifty thousand dollars is hereby appropriated; and the further sum of twenty-five thousand dollars provided "for improved machinery and instruments for testing American iron and steel" in the act entitled "An Act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-four," approved March third, eighteen hundred and seventy-three, is hereby continued and made available for such purpose; and that the President be, and hereby is, authorized to appoint a board, to consist of one officer of the engineers of the United States Army, one officer of ordnance of the United States

Army, one line-officer of the United States Navy, one engineer of the United States Navy, and three civilians who shall be experts; and it shall be the duty of said board to convene at the earliest practicable moment, at such place as may be designated by the President, for the purpose of determining, by actual tests, the strength and value of all kinds of iron, steel, and other metals which may be submitted to them or by them procured, and to prepare tables which will exhibit the strength and value of said materials for constructive and mechanical purposes, and to provide for the building of a suitable machine for establishing such tests: *Provided*, That no officers in the pay of the Government shall be entitled to, or receive, any additional compensation by reason of any services rendered in connection with this board; but one of the civil experts shall act as secretary of the board, and shall be entitled, under this act, to such compensation as the President may deem proper and fit: *Provided*, That not more than fifteen thousand dollars of the sum herein provided shall be used for the expenses of such board.

SEC. 5. To enable the Executive Departments of the Government and the Smithsonian Institution to participate in the International Exhibition of eighteen hundred and seventy-six, the following sums are hereby appropriated, namely: For the Interior Department, one hundred and fifteen thousand dollars; for the Treasury Department, five thousand dollars; for the Post-Office Department, five thousand dollars; for the Agricultural Department, fifty thousand dollars; for the Smithsonian Institution, sixty-seven thousand dollars; for the United States Commission of Food-Fishes, five thousand dollars; for the War Department, one hundred and thirty-three thousand dollars; for the Navy Department, one hundred thousand dollars; for show-cases, shelving, stationery, postage, telegrams, expressage, and other necessary incidental expenses, twenty-five thousand dollars; in all, five hundred and five thousand dollars; to be disbursed under the direction of the board on Executive Departments appointed in pursuance of the presidential order of January twenty-third, eighteen hundred and seventy-four. And authority is hereby given to the heads of the several Executive Departments to display at the International Exhibition of eighteen hundred and seventy-six, under such conditions as they may prescribe, subject to the provisions of section seven of the act of June first, eighteen hundred and seventy-two, all such articles in store or under the control of said Departments as may be necessary or desirable to render such collection complete and exhaustive: *Provided*, That should it become necessary to erect any building or part of a building for said exhibition, on the part of the Government, the

same shall be paid for, pro rata, out of the sums appropriated to the several Departments, the United States Commission of Food-Fishes and the Treasury and Post-Office Departments excepted, the cost of the building not to exceed one hundred and fifty thousand dollars; and at the close of the exhibition, said building shall be sold and the proceeds covered into the Treasury as miscellaneous receipts: *And provided further*, That the sum hereby appropriated shall cover the entire expense to which the United States Government shall be subjected on account of said exhibition, except the sum appropriated in this act for printing the certificates of stock of said exhibition; and the board on Executive Departments is forbidden to expend any larger sum than is set down herein for each Department, or to enter into any contract or engagement that shall result in any such increased expenditure; and no money shall be taken by any Department for the purposes of this exhibition as aforesaid from any other appropriations except the one hereby made: *And further provided*, That of the sum hereby appropriated the sum of two hundred thousand dollars shall be immediately available.

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SEC. 7. That the Secretary of the Treasury be, and he is hereby, authorized to pay, when discharged, one month's pay to such clerks and employes in the Executive Departments in Washington, D. C., as shall be discharged at the close of the present fiscal year, without fault on their part, but by reason of the reductions made necessary by the legislation of the present session of Congress: *Provided*, That the amount paid under this section shall be deducted from the salary of any person receiving the same who shall be re-appointed within six months of the date of such discharge, and so much money as is necessary is hereby appropriated.

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SEC. 9. That the Secretary of State shall cause the statutes at large enacted by each Congress, which shall be edited and printed pursuant to the provisions of section seven of the act entitled "An Act for publication of the Revised Statutes and the laws of the United States," approved June twentieth, eighteen hundred and seventy-four, to be stereotyped and offered for sale in the same manner and on the same terms as is provided in and by section nine of said act herein mentioned in respect to the laws of each session of Congress. That the provisions of section two of the act entitled "An Act providing for the distribution of the Revised Statutes," approved February eighteenth, eighteen hundred and seventy-

five, shall apply to the statutes at large enacted by each Congress and to the laws of each session of Congress, to be published pursuant to said act of June twentieth, eighteen hundred and seventy-four, in the same manner as if specially mentioned therein. That the Congressional Printer be, and he is hereby, directed, in causing to be printed and bound an edition of the laws at the close of the session for the use of the Senate and the House of Representatives, to print the same from the stereotype plates of the edition prepared under the direction of the Department of State, with the index thereof; and so much of the act entitled "An Act to expedite and regulate the printing of public documents, and for other purposes," approved June twenty-fifth, eighteen hundred and sixty-four, as requires the preparation of an alphabetical index, under the direction of the Joint Committee on Printing, be, and the same is hereby, repealed.

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SEC. 12. That it shall be the duty of the Commissioner of Patents to furnish, free of cost, one copy of the bound volumes of specifications and drawings of patents published by the Patent-Office, to each of the Executive Departments of Government, upon the request of the head thereof.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 25. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 18, 1875.*

Under authority conferred by "An Act for the relief of Major *N. H. McLean*, late of [the] Adjutant General's Department, United States Army," approved March 3, 1875, the President directs that Lieutenant Colonel *N. H. McLean*, under his appointment as Assistant Adjutant General with the rank of Lieutenant Colonel, (that being the rank to which he would have attained in service at the date of the passage of the act,) be placed on the retired list of the Army, to date from March 3, 1875.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

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GENERAL ORDERS }

No. 26.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 18, 1875.

The following Act of Congress is published for the information and government of all concerned :

AN ACT to provide for deductions from the terms of sentence of United States prisoners.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all prisoners who have been, or shall hereafter be, convicted of any offense against the laws of the United States, and confined, in execution of the judgment or sentence upon such conviction, in any prison or penitentiary of any State or Territory which has no system of commutation for its own prisoners, shall have a deduction from their several terms of sentence of five days in each and every calendar month during which no charge of misconduct shall have been sustained against each severally, who shall be discharged at the expiration of his term of sentence less the time so deducted, and a certificate of the warden or keeper of such prison penitentiary of such deduction shall be entered on the warrant of commitment: *Provided,* That, if during the term of imprisonment the prisoner shall commit any offense for which he shall be convicted by a jury, all remissions theretofore made shall be thereby annulled.

SEC. 2. That on the discharge from any prison of any person convicted under the laws of the United States on indictment, he or she shall be provided by the warden or keeper of said prison with one plain suit of clothes and five dollars in money, for which charge shall be made and allowed in the accounts of said prison with the United States: *Provided,* That this section shall not apply to persons sentenced for a term of imprisonment of less than six months.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 27.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 18, 1875.

The following Act of Congress is published for the information and government of all concerned :

AN ACT to reduce and fix the Adjutant General's Department of the Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Adjutant General's Department of the Army shall hereafter consist of one Adjutant General, with the rank, pay, and emoluments of a brigadier general ; two assistant adjutants general, with the rank, pay, and emoluments of colonels ; four assistant adjutants general, with the rank, pay, and emoluments of lieutenant colonels ; and ten assistant adjutants general, with the rank, pay, and emoluments of majors.

SEC. 2. That so much of section six of the act entitled "An Act making appropriations for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes," approved March third, eighteen hundred and sixty-nine, as applies to the Adjutant General's Department, be, and the same is hereby, repealed.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



## GENERAL ORDERS }

## WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

No. 28. }

Washington, March 19, 1875.

The following extracts of an Act of Congress are published for the information and government of all concerned :

AN ACT making appropriations to supply deficiencies in the appropriations for fiscal years ending June thirtieth, eighteen hundred and seventy-five, and prior years, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and they are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in the appropriations for the service of the Government for the fiscal year ending June thirtieth, eighteen hundred and seventy-five, and for former years, and for other purposes, namely :

## DISTRICT OF COLUMBIA.

For the Washington Aqueduct: For building dwelling and office for gate-keeper at the receiving reservoir, three thousand dollars.

For continuing, widening, and macadamizing roadway between the distributing reservoir and the Great Falls, five thousand dollars.

## MISCELLANEOUS.

For payment of forty-two dollars and forty-two cents, amount certified to be due by the accounting officers of the Treasury Department to John B. Eugene, late lieutenant of the Forty-third regiment Wisconsin Infantry.

The Secretary of the Treasury is authorized to pay R. A. Connolly not exceeding fourteen hundred and sixty dollars, the amount of a draft drawn by Major Houston, United States Engineers, in charge of harbor improvements at Chicago, upon the United States Depositary at Chicago, October second, eighteen hundred and seventy-one, which was burned in the "Chicago Fire" October ninth, eighteen hundred and seventy-one, upon satisfactory proof being furnished him that said draft was burned and destroyed, and had not been paid.

## WAR DEPARTMENT.

For postage and telegrams or dispatches; extra pay to soldiers employed under the direction of the Quartermaster's Department in the erection of barracks, quarters, store-houses, and hospitals, in the con-



struction of roads, and other constant labor for periods of not less than ten days, under the acts of May second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division and department headquarters, and hospital stewards on clerical duty; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontier, or at posts and other places when ordered by the Secretary of War, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the Quartermaster Department, including the hire of interpreters, spies, and guides for the Army; compensation of clerks to officers of the Quartermaster's Department; compensation of forage and wagon masters authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension, securing, and delivering of deserters, and the expense incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, namely, the purchase of travelling forges, blacksmiths' and shoeing tools, horse and mule shoes, and nails, iron and steel for shoeing, hiring of veterinary surgeons, medicine for horses and mules, picket ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movement and operations of an army not expressly assigned to any other department, for the fiscal year eighteen hundred and seventy-four, twenty thousand dollars. For subsistence of regular troops, employes, and Indian scouts, for the current fiscal year, one hundred and fifty thousand five hundred and thirty-seven dollars and eighty-three cents: *Provided*, That so much of the appropriation for subsistence of the Army as may be necessary may be applied to the purchase of subsistence stores for sale to officers for the use of themselves and their families, and to commanders of companies or other organizations, for the use of the enlisted men of their companies or organizations, and the proceeds of all sales of subsistence supplies shall hereafter be exempt from being covered into the Treasury and shall be immediately available for the purchase of fresh supplies. To supply deficiency in the moneys appropriated for support of totally-disabled volunteer soldiers in the National Homes, three hundred and fifty thousand dollars, or so much thereof as may be necessary. To enable the Secretary of the Treasury to pay Robert B. Lacy, late captain and *and* assistant quartermaster of volun-

teers, the sum of one thousand and forty-three dollars and ninety-one cents, being the amount allowed him by Second Comptroller, and certified to the Secretary of the Treasury as the amount due him as arrears of pay while on duty, and prior to his final discharge.

To the Dudley Observatory at Albany, New York: For the use of the building now occupied by the Government for officers for meteorological work and quarters for signal observers in the service of the Government and for furnishing and maintaining the same, and also for instruments for astronomical observations, and other necessary incidental expenses, twenty thousand dollars.

For expenses of the Observation and Report of Storms by telegraph for signal for the benefit of Commerce and Agriculture throughout the United States; for manufacture, purchase or repair of meteorological or other necessary instruments; for telegraphing reports; for the expenses of storm signals announcing probable approach and force of storms; for continuing the establishment and connection of stations at Life-saving Stations and Light-houses for instruments, shelters, for hire [of] furniture and expenses of offices maintained for public use in cities or ports receiving reports; for river reports; for maps, and bulletins to be displayed in chambers of commerce and Boards of Trade rooms and for distribution: for books and stationery, and for incidental expenses not otherwise provided for, fifty-five thousand dollars.

To enable the Secretary of War to pay for expenses incurred in suppressing Indian hostilities in the Territory of Montana, in the year eighteen hundred and sixty-seven, to the persons entitled thereto, the claims reported upon by General James A. Hardie, under the provisions of section ten of the act entitled "An Act making appropriations for sundry civil expenses of the Government, and for other purposes, for the year ending June thirtieth, eighteen hundred and seventy," approved July fifteenth, eighteen hundred and seventy, for the fiscal year eighteen hundred and seventy-one, and prior years, fifty-five thousand dollars.

To enable the Secretary of War to pay the adjusted account of the late firm of Dempsey and O'Foole, five hundred and eighty-eight dollars and sixty-six cents.

To complete the equestrian statue of Nathaniel Greene, including the pedestal for the same, ten thousand dollars.

That the appropriation of ten thousand dollars under the act approved June twenty-three, eighteen hundred and seventy-four, for the removal of obstructions in the harbor of New Castle, Delaware, be and the same is hereby continued and made available.

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To pay claims of officers and enlisted men of the Regular Army for back pay that may be due them on pay rolls, final accounts, and Treasury certificates, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, twenty-three thousand seven hundred and eleven dollars and seventy-five cents.

To pay claims of officers and enlisted men of the Regular Army for back pay that may be due them on pay rolls, final accounts, and Treasury certificates, being for the service of the fiscal year eighteen hundred and seventy-two, twenty-five thousand and ninety-five dollars and ninety-five cents.

To pay claims of officers and enlisted men of the volunteer service, or their heirs and assigns, for arrears of pay or balances that may be certified to be due to them by the accounting officers of the Treasury Department, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, five hundred and ninety-seven thousand four hundred and twenty-eight dollars and forty cents.

To pay claims of officers and enlisted men of the volunteer service, or their heirs and assigns, for arrears of bounty that may be certified to be due them by the accounting officers of the Treasury Department, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, five hundred and thirty-four thousand one hundred and forty-seven dollars and twenty-three cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for subsistence stores of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, fourteen thousand one hundred and fifty dollars and seventy-one cents.

For pay of superintendent of building occupied by Subsistence Department at number seventeen, Madison Place, Washington City, two hundred and fifty dollars.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for subsistence stores of the Army, being for the service of the fiscal year eighteen hundred and seventy-two, ten dollars.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for clothing of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, two hundred and forty-one dollars and twenty-nine cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for clothing of the Army, being for the service of the fiscal year eighteen hundred and seventy two, one thousand dollars.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for transportation of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, eighty-nine thousand nine hundred and seventy-one dollars and six cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for transportation of the Army, being for the service of the fiscal year eighteen hundred and seventy-two, forty-eight thousand seven hundred and eight dollars and two cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for regular supplies of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, sixty-one thousand nine hundred and seven dollars and one cent.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for regular supplies of the Army, being for the service of the fiscal year eighteen hundred and seventy-two, eight hundred and thirty-five dollars and seventeen cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for incidental expenses of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, five thousand six hundred and twenty-five dollars and eight cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for incidental expenses of the Army, being for the service of the fiscal year eighteen hundred and seventy-two, three thousand eight hundred and eighty-two dollars and twenty cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for rent or hire of quarters for troops, and for officers on military duty, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, seventy-seven thousand six hundred and forty-three dollars and fifty-eight cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for rent or hire of quarters for troops, and for officers on military duty, being for the service of the fiscal year eighteen hundred and seventy-two, nine hundred and forty-eight dollars and eighty-eight cents.

For payment of amounts certified to be due by the accounting officers of the Treasury Department for purchase of horses for the cavalry and artillery, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, twenty-seven thousand six hundred and sixty-eight dollars.

For payment of amount certified to be due by the accounting officers of the Treasury Department for stoves furnished for the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, fifteen dollars.

To settle the claims of volunteers for pay while serving in the Indian war of eighteen hundred and fifty-five and eighteen hundred and fifty-six, in Oregon and Washington Territories, as per certificate of the accounting officers of the Treasury Department, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, three thousand one hundred and ten dollars.

To settle the claims of volunteers for services rendered in the Indian war of eighteen hundred and fifty-five and eighteen hundred and fifty-six in Oregon and Washington Territories, as per certificate of the accounting officers of the Treasury Department, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, five thousand eight hundred and sixty-six dollars and seventy-four cents.

To settle claims certified to be due by the accounting officers of the Treasury Department, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, twelve dollars and sixty-five cents.

For contingencies of the Army certified to be due by the accounting officers of the Treasury Department, being for the service of the fiscal year eighteen hundred and seventy-two, one hundred and sixty dollars.

For payment of amount certified to be due by the accounting officers of the Treasury Department for subsistence of officers of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, one hundred and fifty-four dollars and twenty cents.

For payment of amount certified to be due by the accounting officers of the Treasury Department for medical and hospital supplies, and incidental expenses of the medical department of the Army, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, six hundred and ninety-nine dollars and ninety-two cents.

For payment of the amount certified to be due by the accounting officers of the Treasury Department, for current expenses at arsenals, being for the service of the fiscal year eighteen hundred and seventy-one, thirty-four dollars and twelve cents.

For payment of amount certified to be due by the accounting officers of the Treasury Department for ordnance, ordnance stores, and supplies, being for the service of the fiscal year eighteen hundred and seventy-two, sixty-three dollars and eighty-eight cents.

For payment of amounts certified by the accounting officers of the Treasury Department to be due for the support of freedmen and refugees, being for the service of the fiscal year eighteen hundred and seventy-one and prior years, forty-nine dollars and sixty-six cents.

And the appropriation of one hundred thousand dollars "for the construction of depot buildings, including shops, offices, and commissary and quartermaster's store-rooms at San Antonio, Texas," made by act of March third, eighteen hundred and seventy-three, is hereby continued and rendered available for the purpose originally intended.

SEC. 5. That whenever it may be necessary, in the settlement of the accounts of disbursing officers of the Government for expenditures already made in pursuance of law, to use appropriations carried to the surplus fund under section five of the act of June twentieth, eighteen hundred and seventy-four, the Secretary of the Treasury is hereby authorized to make the necessary entries on the books of the Department to effect such settlements: *Provided*, That such entries shall not involve the expenditure of any moneys from the Treasury.

SEC. 9. That the Military Academy Band shall consist of one teacher of music, who shall be leader of the band, and may be a civilian, and of forty enlisted musicians of the band.

SEC. 10. That the teacher of music shall receive ninety dollars per month, one ration, and the allowance of fuel of a second lieutenant of the Army; and that of the enlisted musicians of the band, ten shall each be paid thirty-four dollars per month; and the remaining thirty shall each be paid thirty dollars per month; and that the enlisted musicians of the band shall have the benefits as to pay, arising from re-enlistments and length of service, applicable to other enlisted men of the Army.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 29. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 20, 1875.

The following Act of Congress is published for the information and government of all concerned :

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-six, as follows :*

For expenses of the Commanding General's Office, five thousand dollars.

For expenses of recruiting and transportation of recruits, one hundred and five thousand dollars. And no money appropriated by this act shall be paid for recruiting the Army beyond the number of twenty-five thousand enlisted men, including Indian scouts and hospital-stewards. Nothing, however, in this act shall be construed to prevent enlistments for the Signal-Service, which shall hereafter be maintained as now organized, and with the force of enlisted men now provided by law.

For contingent expenses of the Adjutant-General's Department at the headquarters of military divisions and departments, three thousand dollars.

For expenses of the Signal-Service of the Army, purchase, equipment, and repair of electric field-telegraphs and signal-equipments, twelve thousand five hundred dollars.

For pay of the Army, and for allowances to officers of the Army for transportation of themselves and their baggage when travelling on duty without troops, escorts, or supplies, and for compensation of witnesses while on court-martial service; for travelling-expenses of paymasters' clerks; for payment of postage on letters and packages, and cost of telegrams received and sent by officers of the Army on public business, eleven million four hundred thousand dollars : *Provided*, That hereafter only actual travelling-expenses shall be allowed to any person holding



employment or appointment under the United States, except marshals, district attorneys, and clerks of the courts of the United States and their deputies; and all allowances for mileages and transportation in excess of the amount actually paid, except as above excepted, are hereby declared illegal; and no credit shall be allowed to any of the disbursing-officers of the United States for payment or allowances in violation of this provision.

For subsistence of regular troops, engineers, Indian scouts, and Indian prisoners, two million four hundred and eighty-four thousand three hundred and thirty dollars, not exceeding three thousand dollars of which may be used for subsisting Indians visiting military posts: *Provided*, That three hundred thousand dollars of the sum thus appropriated may be applied by the Commissary-General of Subsistence, prior to the first day of July, eighteen hundred and seventy-five, to the purchase of subsistence supplies intended for the posts supplied through the Upper Missouri and for other distant posts.

For regular supplies of the Quartermaster's Department, to wit: For the regular supplies of the Quartermaster's Department, consisting of stoves for heating and cooking; of fuel for officers, enlisted men, guards, hospitals, store-houses, and offices; of forage in kind for the horses, mules, and oxen of the Quartermaster's Department, at the several posts and stations, and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry and scouts as may be mounted, and for the authorized number of officers' horses, including bedding for the animals; of straw for soldiers' bedding; and of stationery, including blank books for the Quartermaster's Department, certificates for discharged soldiers, blank forms for the Pay and Quartermaster's Departments, and for printing of division and department orders and reports, four million two hundred and fifty thousand dollars: *Provided*, That of this amount a sum not to exceed fifty thousand dollars may be expended before the beginning of the year for the purchase of such supplies as it may be found to the advantage of the Government to purchase immediately.

For incidental expenses, to wit: For postage and telegrams or dispatches; extra pay to soldiers employed, under the direction of the Quartermaster's Department, in the erection of barracks, quarters, store-houses, and hospitals, in the construction of roads, and other constant labor, for periods of not less than ten days, under the acts of March second, eighteen hundred and nineteen, and August fourth, eighteen hundred and fifty-four, including those employed as clerks at division

and department headquarters; expenses of expresses to and from the frontier-posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escorts cannot be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at posts on the frontiers, or when traveling on orders, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, and guides for the Army; compensation of clerks to officers of the Quartermaster's Department; compensation of forage and wagon-masters authorized by the act of July fifth, eighteen hundred and thirty-eight; for the apprehension of deserters, and the expense incident to their pursuit; and for the following expenditures required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, to wit, hire of veterinary surgeons, medicine for horses and mules, picket-ropes, and for shoeing the horses of the corps named; also, generally, the proper and authorized expenses for the movement and operations of the Army not expressly assigned to any other department, one million two hundred thousand dollars.

For purchase of horses for the cavalry and artillery, and for the Indian scouts, and for such infantry as may be mounted, three hundred thousand dollars.

For transportation of the Army, including baggage of the troops when moving either by land or water; of clothing and camp and garrison equipage from the depots of Philadelphia and Jeffersonville to the several posts and army-depots, and from those depots to the troops in the field; of horse equipments and of subsistence-stores from the places of purchase and from the places of delivery under contract to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small-arms from the founderies and armories to the arsenals, fortifications, frontier-posts, and army-depots; freights, wharfage, tolls, and ferriages; the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters, transportation of funds for the Pay and other disbursing departments; the expenses of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific; for procuring water at such posts as from their situation require it to be brought from a distance; and for clearing roads, and for

removing obstructions from roads, harbors, and rivers to the extent which may be required for the actual operations of the troops in the field, four million dollars: *Provided*, That no money shall hereafter be paid to any railroad company for the transportation of any property or troops of the United States over any railroad which, in whole or in part, was constructed by the aid of a grant of public land on the condition that such railroad should be a public highway for the use of the Government of the United States free from toll or other charge, or upon any other conditions for the use of such road, for such transportation; nor shall any allowance be made for the transportation of officers of the Army over any such road when on duty and under orders as military officers of the United States. But nothing herein contained shall be construed as preventing any such railroad from bringing a suit in the Court of Claims for the charges for such transportation, and recovering for the same if found entitled thereto, by virtue of the laws in force prior to the passage of this act: *Provided*, That the claim for such charges shall not have been barred by the statute of limitations at the time of bringing the suit, and either party shall have the right of appeal to the Supreme Court of the United States: *And provided further*, That the foregoing provision shall not apply for the current fiscal year, nor thereafter, to roads where the sole condition of transportation is that the company shall not charge the Government higher rates than they do individuals for like transportation, and when the Quartermaster-General shall be satisfied that this condition has been faithfully complied with.

For hire of quarters for officers on military duty, hire of quarters for troops; of store-houses for the safe-keeping of military stores, offices, and of grounds for camps and summer cantonments and for temporary frontier stations; for the construction of temporary huts and stables; and for repairing public buildings at established posts, one million five hundred thousand dollars.

For construction and repairs of hospitals, one hundred thousand dollars. For purchase and manufacture of clothing and camp and garrison equipage, and for preserving and repacking stock of clothing and camp and garrison equipage, and materials on hand at the Philadelphia, Jeffersonville, and other depots of the Quartermaster's Department, one million four hundred and fifty thousand dollars: *Provided*, That no part of this sum shall be paid for the use of any patent process for the preservation of cloth from moth or mildew.

For maintaining and improving national military cemeteries, one hundred and fifty thousand dollars.

For Army contingencies not provided for by other estimates, embracing all branches of the military service, one hundred thousand dollars: *Provided*, That none of the money hereby appropriated shall be expended, directly or indirectly, for any use not strictly necessary for, and directly connected with, the military service of the Government.

For purchase of medical and hospital supplies, pay of private physicians employed in emergencies, hire of hospital attendants, expenses of purveying depots, of medical examining boards, and incidental expenses of the Medical Department, two hundred thousand dollars.

For the Army Medical Museum and for medical and other necessary works for the library of the Surgeon General's Office, ten thousand dollars.

For engineer depot at Willet's Point, New York, namely, remodeling portions of bridge equipage, and for the current expenses of the depot, purchase of engineering materials for use in instruction of engineer battalion, and purchase and repair of instruments for general service of the Corps of Engineers, nine thousand dollars.

For torpedo experiments in their application to harbor and land defense, and for instruction of engineer battalion in their preparation and application, ten thousand dollars.

For the ordnance service required to defray the current expenses at the arsenals; of receiving stores and issuing arms and other ordnance supplies; of police and office duties; of rents, tolls, fuel, and lights; of stationery and office-furniture; of tools and instruments for use; of public animals, forage, and vehicles; incidental expenses of the ordnance service, including those attending practical trials and tests of ordnance, small arms, and other ordnance supplies, one hundred and twenty-five thousand dollars. *Provided*, That none of the money hereby appropriated shall be expended, directly or indirectly, for any use not strictly necessary for, and directly connected with, the military service of the Government; and this restriction shall apply to the use of public animals, forage, and vehicles: *And provided further*, That none of the money hereby appropriated shall be expended for the construction or repair of buildings.

For manufacture of metallic ammunition for small arms, seventy-five thousand dollars.

For overhauling, cleaning, and preserving new ordnance stores on hand at the arsenals, fifty thousand dollars.

For repairing ordnance and ordnance stores in the hands of troops and for issue at the arsenals and depots, twenty-five thousand dollars.

For saddlers' tools, smiths' tools and materials, tool bags, cavalry forges, with their tools and materials, for the cavalry service, twenty thousand dollars.

For purchase and manufacture of ordnance stores, to fill requisitions of troops, and for alteration of carriages now in use in sea coast forts, one hundred thousand dollars.

For infantry, cavalry, and artillery equipments, consisting of valises, haversacks, canteens, and great coat straps, and for re-covering cavalry saddles with leather, and of manufacture of saddle bags, and repairing horse equipments for cavalry troops, one hundred thousand dollars.

For manufacture, at national armories, of the new model breech-loading musket and carbine, adopted for the military service on recommendation of the board of officers convened under act of June sixth, eighteen hundred and seventy-two, one hundred and fifty thousand dollars: *Provided*, That hereafter no money shall be expended at said armories in the perfection of patentable inventions in the manufacture of arms by officers of the Army otherwise compensated for their services to the United States.

SEC. 2. That in all contracts for material for any public improvement, the Secretary of War shall give preference to American material; and all labor thereon shall be performed within the jurisdiction of the United States.

SEC. 3. That all issues of arms and other ordnance stores which were made by the War Department to the States and Territories between the first day of January, eighteen hundred and sixty-one, and the ninth day of April, eighteen hundred and sixty-five, under the act of April twenty-third, eighteen hundred and eight, and charged to the States and Territories, having been made for the maintenance and preservation of the Union, and properly chargeable to the United States, the Secretary of War is hereby authorized, upon a proper showing by such States of the faithful disposition of said arms and ordnance stores, in the service of the United States in the suppression of the war of the rebellion, to credit the several States and Territories with the sum charged to them respectively for arms and other ordnance-stores which were issued to them between the aforementioned dates, and charged against their quotas under the law for arming and equipping the militia: *Provided*, That it shall be the duty of the Secretary of War, before making a credit to any of said States and Territories, to investigate and ascertain, so nearly as he can, the disposition made by each of said States and Territories of said arms and ordnance stores; and if he shall find that any of said arms or ord-

nance stores have been sold or otherwise misapplied, to refuse a credit to such State or Territory for so much of said arms and ordnance-stores as have been sold or misapplied; and the amount thereof shall remain a charge against said State or Territory, the same as if this act had not been passed : *And provided further*, That so much of the appropriation, between the first of January, eighteen hundred and sixty-one, and the ninth of April, eighteen hundred and sixty-five, under the act of April twenty-third, eighteen hundred and eight herein referred to, as would have been used for the purchase of arms to be distributed to the several States that were in rebellion, shall be covered into the Treasury of the United States.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
No. 30. } ADJUTANT GENERAL'S OFFICE,  
Washington, March 20, 1875.

The following Act of Congress is published for the information and government of all concerned:

AN ACT making appropriations for the support of the Military Academy for the year ending June thirtieth, eighteen hundred and seventy-six.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Military Academy for the year ending June thirtieth, eighteen hundred and seventy-six, namely:*

For additional pay of officers, and for pay of instructors, professors, cadets, and musicians, two hundred and thirty-five thousand dollars: *Provided*, That the President of the United States be authorized to fill any vacancy occurring at said academy by reason of death, or other cause, of any person appointed by him.

That the assistant instructors of tactics commanding cadet companies at West Point shall receive the same pay and allowances as assistant professors in the other branches of study.

For repairs and improvements, timber, planks, boards, joists, wall-strips, laths, shingles, slate, tin, sheet-lead, nails, screws, locks, butts, hinges, glass, paints, oils, turpentine, varnish, stone, brick, lime, cement, plaster, hair, drain-pipe, blasting powder, fuse, iron, steel, tools, mantels, and other similar materials, fourteen thousand and five hundred dollars; and for pay of citizen-mechanics and labor employed upon repairs and improvements that cannot be done by enlisted men, eight thousand dollars; in all, twenty-two thousand and five hundred dollars.

For fuel and apparatus, namely, coal, wood, stoves, grates, furnaces, ranges, fire-brick, and repairs of steam-heating apparatus, fourteen thousand dollars; gas-pipes, fixtures, lamp-posts, gas-lamps, gasometers, retorts, and annual repairs, six hundred dollars; fuel for cadets' mess-hall, shops, and laundry, three thousand five hundred dollars; postage and telegrams, three hundred dollars; stationery, namely, blank books,



paper, envelopes, quills, steel pens, pencils, erasers, wax, ink, and mutilage, six hundred dollars; transportation of materials, discharged cadets, and ferriages, one thousand eight hundred dollars; printing-type, materials for office, diplomas for graduates, registers, and blanks, nine hundred dollars; in all, twenty-one thousand and seven hundred dollars.

For compensation to pressman and to lithographer, fifty dollars each, one hundred dollars; clerk to disbursing officer and quartermaster, one thousand six hundred and fifty dollars; clerk to adjutant one thousand five hundred dollars; clerk to treasurer, one thousand five hundred dollars; in all, four thousand seven hundred and fifty dollars.

For department of instruction in mathematics, namely, repairs of instruments, fifty dollars; text-books and stationery for use of instructors, thirty dollars; in all, eighty dollars.

For department of artillery, cavalry, and infantry tactics, namely, tank-bark for riding-hall and gymnasium, three hundred dollars; repairing camp-stools and camp-furniture, one hundred dollars; clothes-racks for cadets' tents, two hundred dollars; repairing gymnasium, one hundred dollars; embroidering stand of colors for the United States Corps of Cadets, fifty dollars; furniture for office and reception-room for visitors, one hundred dollars; stationery for use of instructor and assistants, one hundred dollars; books, twenty dollars; in all, nine hundred and seventy dollars.

For department of civil and military engineering, namely, models, maps, purchase and repair of instruments, text-books, books of reference, stationery for use of instructors, and contingencies, five hundred dollars; compensation to a draughtsman, in addition to pay and extra-duty pay as a soldier, one hundred dollars; engraving plates, printing and binding text-books prepared for the special instruction of the cadets, two thousand five hundred dollars: *Provided*, That said books shall be sold to the cadets at cost price, and the amount received therefor covered into the Treasury; in all, three thousand and one hundred dollars.

For department of chemistry, mineralogy, and geology, namely, chemicals, including chemical apparatus, glass and porcelain ware, paper, wire, and sheet-metals, ores, and photographic material, six hundred and seventy-five dollars; rough specimens, files, alcohol, lamps, blow-pipes, pencils, and mortars for practical instruction in mineralogy, and for gradual increase of the cabinet, six hundred and twenty-five dollars; repairs and additions to electric, galvanic, magnetic, electro-magnetic, magneto-electric, pneumatic, and thermic apparatus, and apparatus illustrating optical properties of substances, nine hundred dollars; car-

penters' and metal work, and painting, including material, one hundred and fifty dollars; pay of mechanic to be employed in chemical and geological section rooms, and in the lecture-room, one thousand and fifty dollars; models and diagrams, sixty dollars; books of reference, text-books, and stationery for instructors, and contingencies, three hundred and fifty dollar; compensation to attendant, fifty dollars; in all three thousand eight hundred and sixty dollars.

For department of natural and experimental philosophy, namely, additions to the optical and mechanical apparatus of the laboratory, three thousand dollars; spectroscope and photographic apparatus for the observatory, one thousand five hundred dollars; materials and repairs, four hundred dollars; compensation to mechanic, one thousand dollars; compensation to attendant, fifty dollars; in all, five thousand nine hundred dollars.

For department of practical military engineering, namely, mining-materials, profiling, stationery, drawing-materials, and repairs of instruments, one hundred dollars; telegraphing-material, one-hundred dollars; in all, two hundred dollars.

For department of French, namely, text-books and stationery for instructors, and for examination-blanks, two hundred dollars.

For department of Spanish, namely, text-books and stationery for use of instructors, fifty dollars.

For department of drawing, namely, topographical models for use of third class, one hundred and fifty dollars; models for use of second class, one hundred dollars; tables, benches, and frames for resting models on, one hundred dollars; fifty rulers and fifty triangles, fifty dollars; colors, pencils, paper, and brushes for use of iustrctors, twenty dollars; in all, four hundred and twenty dollars.

For department of law, namely, stationery, text-books, and books of reference, one hundred dollars.

For department of ordnance and gunnery, namely, models, and drawings illustrating practical working of materials employed in ordnance-construction, one hundred and seventy-five dollars; instrument-house for field service, one hundred and fifty dollars; target-recording house, with camera and appurtenances for rifle-practice, seventy-five dollars; iron targets for rifle-practice, thirty dollars; wire and electrical batteries and targets for instruments for determining initial velocity of projectiles, one hundred dollars; text-books for use of instructors, twenty-five dollars; plane-table for determining ranges, and for instrument for measuring distances, forty-five dollars; in all, six hundred dollars.

For expenses of the board of visitors, four thousand two hundred dollars.

#### MISCELLANEOUS ITEMS AND INCIDENTAL EXPENSES.

For gas-coal, oil, candles, wicking, and matches for lighting the academy, cadet-barracks, mess-hall, hospital, offices, stables, and side-walks, four thousand dollars.

For water-pipes, plumbing, and repairs, two thousand dollars.

For cleaning public buildings, not quarters, five hundred and sixty dollars; brooms, brushes, tubs, pails, soap, and cloths, two hundred dollars; chalk, crayons, sponge, slates, and rubbers for recitation-rooms, one hundred dollars; in all, eight hundred and sixty dollars.

For compensation of chapel-organist, two hundred dollars; compensation of librarian, one hundred and twenty dollars; compensation of non-commissioned officer in charge of mechanics, fifty dollars; compensation of soldier writing in adjutant's office, fifty dollars; pay of engineer of heating and ventilating apparatus for the cadet-barracks, chapel, and philosophical academy, including the library, one thousand five hundred dollars; pay of assistant engineer of same, seven hundred and twenty dollars; pay of five firemen, two thousand two hundred dollars; in all, four thousand eight hundred and forty dollars.

For increase and expense of library, books, magazines, periodicals, and binding, two thousand dollars.

For pay of librarian's assistant, one thousand dollars.

For contingencies for superintendent of the academy, one thousand dollars.

For furniture for cadets hospital, and repairs, one hundred dollars; printing catalogue for library, seven hundred dollars; renewing furniture in academic section rooms and offices, one thousand dollars; papers and periodicals for cadet hospital, sixty dollars; and for carpeting and repairs to chapel for cadets, officers' families, and visitors, one thousand dollars: in all, two thousand eight hundred and sixty dollars.

For repairing and opening roads and walks, five hundred dollars.

For continuing superstructure of the new hospital for cadets, thirty thousand dollars.

For continuing construction of sewerage from barracks and quarters, three thousand dollars.

For repairs to reservoirs and increasing capacities, five hundred dollars.

For construction of school-house for soldiers' children, and furniture for same, eight thousand dollars.

For parapet wall on the road leading along the cliff to south wharf, five hundred dollars.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*







GENERAL ORDERS }  
No. 31. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 20, 1875.

The following Acts of Congress are published for the information and government of all concerned :

L...AN ACT to punish certain larcenies, and the receivers of stolen goods.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any person who shall embezzle, steal, or purloin any money, property, record, voucher or valuable thing whatever, of the moneys, goods, chattles, records, or property of the United States, shall be deemed guilty of felony, and on conviction thereof before the district or circuit court of the United States in the district wherein said offense may have been committed, or into which he shall carry or have in possession of said property so embezzled, stolen, or purloined, shall be punished therefor by imprisonment at hard labor in the penitentiary not exceeding five years, or by a fine not exceeding five thousand dollars, or both, at the discretion of the court before which he shall be convicted.

SEC. 2. That if any person shall receive, conceal, or aid in concealing, or have, or retain in his possession with intent to convert to his own use or gain, any money, property, record, voucher, or valuable thing whatever, of the moneys, goods, chattels, records, or property of the United States, which has theretofore been embezzled, stolen, or purloined from the United States by any other person, knowing the same to have been so embezzled, stolen, or purloined, such person shall, on conviction before the circuit or district court of the United States in the district wherein he may have such property, be punished by a fine not exceeding five thousand dollars, or imprisonment at hard labor in the penitentiary not exceeding five years, one or both, at the discretion of the court before which he shall be convicted; and such receiver may be tried either before or after the conviction of the principal felon; but if the party has been convicted, then the judgment against him shall be conclusive evidence in the prosecution against such receiver that the property of the United States therein described has been embezzled, stolen, or purloined.

*Approved March 3, 1875.*



II...AN ACT to provide for deducting any debt due the United States from any judgment recovered against the United States by such debtor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when any final judgment recovered against the United States or other claim duly allowed by legal authority, shall be presented to the Secretary of the Treasury for payment, and the plaintiff or claimant therein shall be indebted to the United States in any manner, whether as principal or surety, it shall be the duty of the Secretary to withhold payment of an amount of such judgment or claim equal to the debt thus due to the United States; and if such plaintiff or claimant assents to such set-off, and discharges his judgment or an amount thereof equal to said debt or claim, the Secretary shall execute a discharge of the debt due from the plaintiff to the United States. But if such plaintiff or claimant denies his indebtedness to the United States, or refuses to consent to the set-off, then the Secretary shall withhold payment of such further amount of such judgment or claim as in his opinion will be sufficient to cover all legal charges and costs in prosecuting the debt of the United States to final judgment. And if such debt is not already in suit, it shall be the duty of the Secretary to cause legal proceedings to be immediately commenced to enforce the same, and to cause the same to be prosecuted to final judgment with all reasonable dispatch. And if in such action judgment shall be rendered against the United States, or the amount recovered for debt and costs shall be less than the amount so withheld as before provided, the balance shall then be paid over to such plaintiff by such Secretary, with six per cent. interest thereon for the time it has been withheld from the plaintiff.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 32. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 22, 1875.*

Hereafter, commanding officers of batteries, companies, and detachments, making Quarterly Returns of Ordnance and Ordnance Stores, will report, upon the face of the Returns, the maximum number of enlisted men under their command during the quarter.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 33. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
Washington, March 23, 1875.

By direction of the President, and conformably to the act approved March 3, 1875, entitled "An Act for the relief of General *Samuel W. Crawford*, and to fix the rank and pay of retired officers of the Army," the retired list of the Army, under the heading "Officers retired with the full rank of the command held by them when wounded, in conformity with sections 16 and 17 of the act of August 3, 1861, and section 32 of the act of July 28, 1866," is amended to fix the rank of the following named officers from March 3, 1875, as below enumerated:

*Brigadier Generals.*

*Thomas J. Wood*, (heretofore Major General.)  
*Richard W. Johnson*, (heretofore Major General.)  
*Eli Long*, (heretofore Major General.)

*Colonels.*

*Joseph B. Kiddoo*, (heretofore Brigadier General.)  
*William F. Lynch*, (heretofore Brigadier General.)  
*Samuel Ross*, (heretofore Brigadier General.)

*Lieutenant Colonels.*

*George W. Gile*, (heretofore Colonel.)  
*John Pulford*, (heretofore Colonel.)

*Major.*

*Henry W. Freedley*, (heretofore Colonel.)

*Captain, (Mounted.)*

*Thomas E. Maley*, (heretofore Lieutenant Colonel.)

*Captains.*

*Theodore Yates*, (heretofore Colonel.)  
*Albert W. Preston*, (heretofore Colonel.)

*1st Lieutenants, (Mounted.)*

*Paul Quirk*, (heretofore Captain, Mounted.)  
*David H. Cortelyou*, (heretofore Captain, Mounted.)

*1st Lieutenants.*

*Robert Davis*, (heretofore Captain.)

*Henry H. Kuhn*, (heretofore Captain.)

*James B. Sinclair*, (heretofore Captain.)

*Edward B. Knox*, (heretofore 1st Lieutenant, Mounted.)

*2d Lieutenant.*

*Janus Darison*, (heretofore 2d Lieutenant, Mounted.)

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL.

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 34. }

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, March 23, 1875.

The following Act of Congress is published for the information and government of all concerned:

AN ACT making appropriations for the repair, preservation, and completion of certain public works on rivers and harbors, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums of money be, and are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the War, for the repair, preservation, and completion of the following public works hereinafter named:

For dredging the inside harbor at Duluth, thirty-five thousand dollars.

For the improvement of the harbor at Ontonagon, twenty-five thousand dollars.

For the improvement of Eagle Harbor, ten thousand dollars.

For the improvement of the harbor at Marquette, fifteen thousand dollars.

For the improvement of the Fox and Wisconsin Rivers, five hundred thousand dollars.

For the improvement of the harbor at Green Bay, ten thousand dollars.

For the improvement of the harbor at Menomonee, twenty-five thousand dollars.

For the improvement of the harbor of Ahuapee, Wisconsin, twenty-five thousand dollars.

For the improvement of the harbor at Two Rivers, Wisconsin, fifteen thousand dollars.

For the improvement of the harbor at Manitowoc, Wisconsin, ten thousand dollars.

For the improvement of the harbor at Sheboygan, Wisconsin, twelve thousand dollars.

For the improvement of the harbor at Port Washington, Wisconsin, ten thousand dollars.

For the improvement of the harbor at Milwaukee, twenty-five thousand dollars.

For the improvement of the harbor at Racine, Wisconsin, ten thousand dollars.

For the improvement of the harbor at Kenosha, Wisconsin, fifteen thousand dollars.

For the improvement of the harbor at Chicago, Illinois, seventy-eight thousand dollars.

For the improvement of the harbor at Calumet, Illinois, twenty-five thousand dollars.

For the improvement of the harbor at Michigan City, Indiana, fifty thousand dollars.

For the improvement of the harbor at Frankfort, Michigan, ten thousand dollars.

For the improvement of the harbor at Manistee, Michigan, twenty-five thousand dollars.

For the improvement of the harbor at Ludington, Michigan, ten thousand dollars.

For the improvement of the harbor at White River, Michigan, ten thousand dollars.

For the improvement of the harbor at Muskegon, Michigan, twenty-five thousand dollars.

For the improvement of the harbor at Black Lake, Michigan, fifteen thousand dollars.

For the improvement of the harbor at Saugatuck, Michigan, ten thousand dollars.

For the improvement of the harbor at South Haven, Michigan, ten thousand dollars.

For the improvement of Saint Mary's River and Saint Mary's Falls Canal, two hundred thousand dollars: of which sum not to exceed forty thousand dollars may be used in the settlement of such claims of the contractors Barker, Williams, and Bangs, and Barker and Williams, for damages and delays in the time of commencing work on said canal during the existence of their contracts, as the Secretary of War, on the report of the Engineer Department, shall judge to be just and equitable.

For the improvement of the harbor at Cheboygan, Michigan, fifteen thousand dollars.

For the improvement of Saint Clair River, at the mouth of Black River, Michigan, ten thousand dollars.

For the improvement of the Harbor of Refuge, Lake Huron, one hundred thousand dollars.

For the improvement of the harbor at Monroe, Michigan, ten thousand dollars.

For the improvement of Saginaw River, Michigan, thirty thousand dollars.

For the improvement of the harbor at Toledo, Ohio, seventy-five thousand dollars.

For the improvement of the harbor at Sandusky City, Ohio, twenty-five thousand dollars.

For the improvement of the harbor at Huron, Ohio, one thousand dollars.

For the improvement of the harbor at Vermillion, Ohio, ten thousand dollars.

For the improvement of the harbor at Black River, Ohio, ten thousand dollars.

For the improvement of the harbor at Grand River, Ohio, fifteen thousand dollars.

For the improvement of the harbor at Ashtabula, Ohio, twenty-five thousand dollars.

For the improvement of the harbor at Conneaut, Ohio, one thousand dollars.

For the improvement of the harbor at Erie, Pennsylvania, eighty thousand dollars.

For the improvement of the harbor at Port Clinton, Ohio, five thousand dollars.

For the improvement of the harbor at Rocky River, Ohio, fifteen thousand dollars.

For the improvement of the harbor at Dunkirk, New York, thirty-five thousand dollars.

For dredging the mud-bars in the Hudson River in front of Jersey City, twenty-five thousand dollars.

For the improvement of the harbor at Buffalo, New York, one hundred thousand dollars; and out of this appropriation the Chief of Engineers may pay Daniel E. Bailey the sum of twenty-three thousand two hundred and eighty-seven dollars and seventy-six cents for work done by him upon such improvement in eighteen hundred and seventy-three and eighteen hundred and seventy-four, and for which he has not been paid, in full satisfaction thereof.

For the improvement of the harbor at Olcott, New York, ten thousand dollars.

For the improvement of the harbor at Oak Orchard, New York, ten thousand dollars.

For the construction of an additional pier in the ice harbor at New Castle, Delaware, twenty thousand dollars.

For the continuation of the construction of the United States pier at Lewes, Delaware, twenty-five thousand dollars.



For the improvement of the harbor at Charlotte, New York, five thousand dollars.

For the improvement of the harbor at Crisfield, Maryland, thirty-seven thousand three hundred and seventeen dollars and fifty cents.

For the improvement of the harbor at Pultneyville, New York, ten thousand dollars.

For the improvement of the harbor at Great Sodus Bay, New York, ten thousand dollars.

For the improvement of the harbor at Little Sodus Bay, New York, ten thousand dollars.

For the improvement of the harbor at Oswego, New York, ninety thousand dollars.

For the improvement of the harbor at Ogdensburg, New York, five thousand dollars.

For the improvement of the harbor at Burlington, Vermont, twenty-five thousand dollars.

For the improvement of the harbor at Swanton, Vermont, ten thousand dollars.

For the improvement of Otter Creek, Vermont, five thousand dollars.

For the improvement of the Falls of Saint Anthony, Minnesota, one hundred thousand dollars: and twenty-five thousand dollars of said amount may be expended for the improvement of the Mississippi River above the Falls of Saint Anthony.

For the improvement of the Minnesota River, ten thousand dollars.

For the improvement of the Upper Mississippi River, twenty-five thousand dollars.

For the improvement of the Illinois River, seventy-five thousand dollars.

For the improvement of the Des Moines Rapids, Mississippi River, four hundred and eighty thousand dollars.

For the improvement of the Rock Island Rapids, Mississippi River, fifty thousand dollars.

For the improvement of the Mississippi, Missouri, and Arkansas Rivers, one hundred thousand dollars.

For the improvement of the Mississippi River, between the mouths of the Illinois and Ohio Rivers, two hundred thousand dollars: fifteen thousand dollars of said amount shall be expended between the mouths of the Illinois and Missouri Rivers; and fifteen thousand dollars of said amount may be expended at Liberty Bar.

For completing the improvement of the Falls of the Ohio River and Louisville Canal, one hundred thousand dollars.

For the improvement of the Ohio River, three hundred thousand dollars; that one hundred thousand dollars of this amount shall be used for and applied toward the construction of a "movable dam," or a dam with adjustable gates for the purpose of testing substantially the best method of improving permanently the navigation of the Ohio River and its tributaries; the location of this work, with the plan of construction, and the application of the amount hereby appropriated to be submitted to the Secretary of War, for his approval.

For the improvement of the Wabash River, forty thousand dollars.

For the improvement of the Upper Monongahela River, near Morgantown, West Virginia, twenty-two thousand dollars.

For the improvement of the Great Kanawa River, West Virginia, three hundred thousand dollars.

For the improvement of the Tennessee River above Chattanooga, forty thousand dollars, and below Chattanooga, including the Muscle Shoals, three hundred and sixty thousand dollars.

For the improvement of the Cumberland River, below Nashville, twenty-five thousand dollars.

For the improvement of the Yazoo River, twelve thousand dollars.

For the improvement of the mouth of the Mississippi River, two hundred and fifty thousand dollars: *Provided*, That this appropriation shall cease to be available when its necessity is superseded by any other work of improvement authorized by law.

For the improvement of Red Fish Bar, in Galveston Bay, Texas, ten thousand two hundred dollars.

For removing the Raft in Red River, twenty thousand dollars.

For the improvement of the harbor at Mobile, Alabama, twenty-six thousand dollars.

For the improvement of the harbor at Cedar Keys, Florida, fifteen thousand dollars.

For the improvement of the Chattahooche and Flint Rivers, Georgia, twenty-five thousand dollars.

For the improvement of the Apalachicola River, Florida, ten thousand dollars.

For the improvement of the Choctawhatchie River, Florida and Alabama, five thousand dollars.

For the improvement of the harbor at Charleston, South Carolina, ten thousand dollars.

For the improvement of the harbor at Savannah, Georgia, seventy thousand dollars.

For the improvement of the Oostanoola and Coosawatee Rivers, Georgia, five thousand dollars.

For the improvement of Elk River, Maryland, five thousand dollars.

For the improvement of the harbor at Baltimore, Maryland, seventy-five thousand dollars.

For the improvement of the Wicomico River, Maryland, five thousand dollars.

For the improvement of Occoquan River, Virginia, five thousand dollars.

For the improvement of Aquia Creek, Virginia, two thousand dollars.

For the improvement of the mouth of Nomini, Virginia, five thousand dollars.

For the improvement of the Rappahanock River, Virginia, five thousand dollars.

For the improvement of the James River, Virginia, fifty thousand dollars.

For the improvement of the South Branch of Elizabeth River, Virginia, five thousand dollars.

For the improvement of the Nansemond River, Virginia, five thousand dollars.

For the improvement of the Appomattox River, Virginia, thirty thousand dollars.

For the improvement of Cape Fear River, North Carolina, one hundred and fifty thousand dollars.

For constructing United States Pier in Delaware Bay, near Lewes, Delaware, fifteen thousand dollars.

For the improvement of Delaware River at Fort Mifflin Bar, twenty thousand dollars; and that any unexpended balance of the amount mentioned in the act making appropriations for the repair, preservation, and so forth, of certain public works, and so forth, approved March third, eighteen hundred and seventy-three, for the improvement of the channel of the Delaware River at and near the Horse Shoe Shoals, be, and the same is hereby, appropriated, to be expended for the improvement of said river at such places between Petty's Island and its mouth as the Chief of Engineers of the Army may order and direct.

For the improvement of the Delaware River, New Jersey, between Trenton and White Hill, ten thousand dollars.

For the improvement of the harbor at Wilmington, Delaware, ten thousand dollars.

For the improvement of the Schuylkill River, twenty thousand dollars.

For the improvement of the Hudson River, New York, forty thousand dollars.

For the improvement of the Passaic River, New Jersey, twenty thousand dollars.

For removing obstructions in the East River and Hell Gate, New York, two hundred and fifty thousand dollars.

For the improvement of the East Chester Creek, New York, twelve thousand dollars.

For a harbor at Fort Jefferson, New York, fifteen thousand dollars.

For the improvement of the harbor at Wareham, Massachusetts, ten thousand dollars.

For the improvement of Taunton River, Massachusetts, ten thousand dollars.

For the improvement of the harbor at Fall River, Massachusetts, ten thousand dollars.

For the improvement of the breakwater at Block Island, Rhode Island, twenty thousand dollars.

For the improvement of the harbor at Newport, Rhode Island, ten thousand dollars.

For the improvement of Pawcatuck River, Rhode Island and Connecticut, ten thousand dollars.

For the improvement of the harbor at Stonington, Connecticut, twenty five thousand dollars.

For the improvement of the Connecticut River, below Hartford, Connecticut, twenty thousand dollars.

For the improvement of the harbor at Milford, Connecticut, thirteen thousand dollars.

For the improvement of the Hoosatic River, Connecticut, five thousand dollars.

For the improvement of the harbor at Bridgeport, Connecticut, fifteen thousand dollars.

For the improvement of the harbor at Norwalk, Connecticut, seven thousand dollars.

For the improvement of the Machias River, Maine, ten thousand dollars.

For the improvement of the harbor at New Haven, Connecticut, ten thousand dollars.

For the improvement of the Penobscot River, Maine, twenty-five thousand dollars; and out of this appropriation ten thousand dollars shall be expended at or near Bucksport Narrows.

For the improvement of the harbor at Camden, Maine, ten thousand dollars.

For the improvement of the Kennebec River, Maine, fifteen thousand dollars.

For the improvement of the harbor at Portland, Maine, twenty thousand dollars.

For the improvement at Richmond Island, Maine, fifteen thousand dollars.

For the improvement of the Cochico River, New Hampshire, twenty-five thousand dollars.

For the improvement of the Merrimack River, Massachusetts, twelve thousand dollars.

For the improvement of Boston Harbor, Massachusetts, one hundred thousand dollars; ten thousand dollars of said amount may be expended for the improvement of Hingham Harbor.

For the improvement of the harbor at Plymouth, Massachusetts, ten thousand dollars.

For the improvement of the harbor at Provincetown, Massachusetts, five thousand dollars.

For the improvement of the lower Willamette and Columbia Rivers, from Portland, Oregon, to the sea, twenty thousand dollars.

For the improvement of the Upper Willamette River, Oregon, twenty-five thousand dollars.

For the improvement of the Upper Columbia River, thirty-five thousand dollars.

For the improvement of the breakwater at Wilmington, California, thirty thousand dollars.

For the improvement of Oakland Harbor, California, one hundred thousand dollars.

For the improvement of the harbor at San Diego, California, eighty thousand dollars.

For a breakwater in five fathoms of water, to protect the commerce of Cleveland, Ohio, fifty thousand dollars.

For the improvement of the harbor at Galveston, Texas, one hundred and fifty thousand dollars.

For the improvement of the Sebawaing River, Michigan, eight thousand dollars.

For dredging the bar at the junction of Pine and Saint Clair Rivers, Michigan, five thousand dollars.

For the improvement of the harbor at New Bedford, Massachusetts, ten thousand dollars.

For the improvement of the harbor at Wilson, New York, ten thousand dollars.

For the improvement of the Sacramento and Feather Rivers, California, fifteen thousand dollars.

For the improvement of the ship-channel between the mouth of San Jacinto River to Bolivar Channel, in Galveston Bay, Texas, twenty-five thousand dollars.

For the improvement of Sabine Pass, Texas, twenty thousand dollars.

For the improvement of the Harlem River, New York, ten thousand dollars.

For the improvement of the harbor and river at Saint Joseph's, Michigan, thirty-five thousand dollars.

For the improvement of the Warrior and Tombigbee Rivers, Alabama, below Tuscaloosa and Demopolis, twenty-five thousand dollars, in addition to any unexpended balance remaining from the appropriation for the harbor of Mobile, hereby transferred to this improvement.

For the repair of the breakwater and piers at the harbor of Southport, Connecticut, five thousand dollars.

For completing the improvement of the harbor at Waddington, New York, five thousand dollars.

For examination and surveys of rivers and harbors, and for incidental repairs at harbors for which there is no special appropriation, fifty thousand dollars.

It shall be the duty of the Secretary of War to apply the moneys herein appropriated as far as may be by contract, except when specific estimates cannot be made for the particular work, or where, in the judgment of said Secretary, the work cannot be contracted at prices advantageous to the Government, and except the appropriations made for examinations and surveys; and such contracts shall be made after sufficient public advertisement for proposals in such form and manner as the Secretary of War shall prescribe; and such contracts shall be made with the lowest responsible bidders therefor, accompanied by such securities as the Secretary of War shall require.

For completing the survey and estimates of the route from the mouth of the Youghiogheny River, to continue the slackwater navigation up said river to the head waters at the foot of the Alleghany Mountains, thence by canal to Cumberland, intersecting there the Chesapeake and Ohio Canal, ten thousand dollars.

SEC. 2. That the Secretary of War is hereby directed to cause examinations, or surveys, or both, to be made at the following points, namely: Alabama River, from Wetumpka to its mouth.

East Branch of Potomac River, from the navy-yard to Bladensburg.  
District of Columbia.

North and South Branches of the Shrewsbury River, New Jersey.

Puyallup River, from the Coal Mines to its mouth, Washington Territory.

Monongahela River, from Morgantown to Fairmont, West Virginia.

French Broad River, from its junction with the Holston at Knoxville to Leadvale, Tennessee.

Port Henry, Lake Champlain, for a breakwater.

Rouse's Point, Lake Champlain, for a breakwater.

Lower Pier, Chester, Pennsylvania.

Monterey, California.

Mouth at Nehalem River, Oregon, Alsea River and bar, Oregon.

For examination for a route for a canal sufficient to allow the passage, at ordinary high tide, of steamers drawing ten feet, connecting the waters of Shoal Water Bay with the waters of the Columbia River: *Provided*, That no more than five hundred dollars shall be expended in making such survey and estimate.

Alleghany River, below Freeport, Pennsylvania.

Thunder Bay River, Lake Huron.

Little Narragansett Bay, between Dennison Rocks and Rhode's Folly.  
Rhode Island and Connecticut.

For examination for a route for a canal from Lake Michigan to the Wabash River, Indiana, not exceeding the expense of two thousand dollars.

Clinch River, below the mouth of Emory River, and Emory River above its mouth, for removal of bars, Tennessee.

Clinton River, from Mount Clemens to its mouth, Michigan.

For estimate of cost to obtain thirteen feet of water on the outer bar at the mouth of Saginaw River, Michigan.

Waddington, New York, for the purpose of ascertaining the practicability and cost of constructing a canal and locks around the rapids in the Saint Lawrence River at that point.

Survey of the channel of West Haven Harbor, near New Haven, Connecticut.

Pamlico River, from its mouth to the town of Washington, North Carolina

Neuse River, from its mouth to Goldeboro', North Carolina.

Pasquotank River, from Albemarle Sound to Elizabeth City, North Carolina.

Puquunnaus River, from its mouth to the town of Hartford, North Carolina.

Belfast Bay and harbor, Maine.

Harbor Matinicus Island, Maine.

Alleghany River, near Pittsburgh, Pennsylvania.

Ocmulgee River, Georgia, from the city of Macon to the city of Covington.

Catawba River, from South Carolina line to Old Fort, North Carolina.

For surveys to ascertain the most eligible line on which a canal across the Isthmus of Florida can be constructed, and whether a safe land-locked navigation between the waters of the Mississippi and the Gulf along the coasts of Alabama, Louisiana, and Florida, and through the latter State to the Atlantic coast, can be had. To estimate the probable cost and practicability of construction of such works, and of any artificial water-routes found necessary to provide a safe inland navigation between the Mississippi River and one of the seaports on the east coast of Florida.

Continuing survey of French Broad River, from the Henderson County line to its junction with the Holston, Tennessee.

The harbor at Edenton, North Carolina.

A line between the Neuse and Cape Fear Rivers in North Carolina, with a view to connect the waters of the same. And a like line with a view to connect the waters of Norfolk harbor, in Virginia, with the waters of the Cape Fear River, at or near Wilmington, North Carolina.

Louisa Fork of Sandy, from the mouth of Dismal, in Buchanan County, Virginia, to Piketon, Kentucky.

Powell's River, from the three forks in Wise County, Virginia, to the mouth of Clinch River, Tennessee.

Clinch River, from the mouth of Indian, in Tazewell County, Virginia, to the junction of Clinch and Powell Rivers, Tennessee.

Elk River, from its mouth to Braxton Court-House, West Virginia.

Missouri River, at the point where it is cutting into the Kansas shore above Saint Joseph's, Missouri.

For breakwater off the mouth of Au Sable River, Lake Huron.

The piers at Marcus Hook, Pennsylvania.

Tennessee River, from the Chilhowee Mountains to the Georgia line, in Macon County, North Carolina.

Ipswich River and harbor, Massachusetts, and estimates of cost for dredging the river so as to give nine feet depth at low water.

Mouth of Big Sandy Creek, New York.

Chippewa River, Wisconsin.

Echo Harbor, New Rochelle, New York.



SEC. 3. That the Secretary of War shall convene a board of engineers to examine, and report at the next session of Congress, a plan for the improvement of the channel between Staten Island and New Jersey.

SEC. 4. That James B. Eads, of Saint Louis, Missouri, be, and he is hereby, authorized, with such others as may be associated with him, on the conditions hereinafter mentioned, to construct such permanent and sufficient jetties and such auxiliary works as are necessary to create and permanently maintain, as hereinafter set forth, a wide and deep channel between the South Pass of the Mississippi River and the Gulf of Mexico, and for that purpose he may construct, in the river, outlet, or pass, and likewise in the Gulf of Mexico, such walls, jetties, dikes, levees, and other structures, and employ such boats, rafts, and appliances, as he may, in the prosecution of said work, deem necessary: *Provided*, That no such structure or means employed shall hinder, delay, or materially interfere with the free navigation of said pass; and, to protect his said works, he may build and maintain such levees or embankments as may be necessary to secure their permanency along the banks of the river or South Pass: *Provided further*, That unless the construction of the proposed work shall be substantially commenced within eight months from the date of the approval of this act, and prosecuted with due diligence, the provisions contained herein in relation to the said South Pass shall be null and void; and unless the said Eads and his associates shall secure a navigable depth of twenty feet of water through said pass within thirty months after the date of the approval of this act, Congress may revoke the privileges herein granted in relation to the said South Pass, and cancel the obligations herein assumed by the United States. And Congress may revoke the privileges herein granted in relation to the said South Pass, and cancel the obligations herein assumed by the United States, unless the said Eads and his associates shall, after securing twenty feet of water, secure an additional depth of not less than two feet during each succeeding year thereafter, until twenty-six feet shall have been secured; and in case said Eads and his associates shall fail to comply with the foregoing conditions, as to depth of water, and time for and period of twelve months in excess of the time fixed, as aforesaid, then the privileges herein granted, and the obligations herein assumed in relation to the said South Pass, shall absolutely become absolutely null and void without action by Congress.

SEC. . That the conditions herein prescribed being fully complied with, the United States hereby promise and agree to pay to said Eads, or to his assigns or legal representatives, five million two hundred and

fifty thousand dollars for constructing said works and obtaining a depth of thirty feet in said channel, and the annual sum of one hundred thousand dollars for each and every year that said depth of thirty feet shall be maintained by the jetties and auxiliary works aforesaid in said South Pass during twenty years after first securing the said depth. Payments shall be made on certified statements of an engineer officer, who shall be detailed by the Secretary of War, and whose duty it shall be to report the depth of water and width of channel secured and maintained from time to time in said channel, together with such other information as the Secretary of War may direct. When a channel of twenty feet in depth, and of not less than two hundred feet in width, shall have been obtained by the action of said jetties and auxiliary works, five hundred thousand dollars shall be paid; and when a channel of twenty-two feet in depth and two hundred feet in width shall have been obtained by the action of said jetties and auxiliary works, five hundred thousand dollars shall be paid. When a channel twenty-four feet in depth, and not less than two hundred and fifty feet in width, shall have been obtained, there shall be paid five hundred thousand dollars; and after said depth and width shall have been maintained during twelve consecutive months, there shall be paid, *there shall be paid* two hundred and fifty thousand dollars with five per centum per annum interest from the date when said twenty-four feet were first obtained. When a channel twenty-six feet in depth, and not less than three hundred feet in width shall be obtained, there shall be paid five hundred thousand dollars; and when a channel of said depth and width shall have been maintained for twelve months consecutively, two hundred and fifty thousand dollars shall be paid with interest at five per centum per annum from the date when said channel was first obtained.

When a channel twenty-eight feet in depth and not less than three hundred and fifty feet in width shall be obtained, there shall be paid five hundred thousand dollars; and after said depth and width shall have been maintained for twelve months consecutively, two hundred and fifty thousand dollars shall be paid with interest at six per centum per annum from the date when said twenty-eight feet were first obtained. When a channel thirty feet in depth and not less than three hundred and fifty feet in width shall be obtained, there shall be paid five hundred thousand dollars; and after such depth and width shall have been maintained for twelve months consecutively, there shall be paid five hundred thousand dollars with interest at five per centum per annum from the date when a channel of said depth and width was first obtained; making a total aggregate of four million two hundred and fifty thousand dollars for the

aforesaid payments, the respective depths and widths of channels being measured at average flood-tide, as ascertained and determined by the Secretary of War. When a channel thirty feet in depth and three hundred and fifty feet in width shall have been obtained by the effect of said jetties and auxiliary works aforesaid, the remaining one million dollars shall be deemed as having been earned by said Eads and associates; but said amount shall remain as security in the possession of the United States for the purposes hereinafter set forth, interest at five per centum per annum on the same being payable to said Eads, his assigns, and legal representatives, semi-annually, from the date when a channel of thirty feet in depth and three hundred and fifty feet in width shall have been first secured, so long as said money, or any part thereof, is held by the United States.

SEC. . That after said channel of thirty feet in depth and of not less than three hundred and fifty feet in width shall have been secured, one hundred thousand dollars per annum shall be paid in equal quarterly payments during each and every year that said channel of thirty feet in depth and three hundred and fifty feet in width shall have been maintained by said Eads and his associates by the effect of said jetties and auxiliary works aforesaid in said pass, for a period of twenty years, dating from the date on which said channel of thirty feet in depth and three hundred and fifty feet in width shall be first secured: *Provided, however,* That no part of such annual compensation shall be paid for any period of time during which the channel of said pass shall be less than thirty feet in depth and three hundred and fifty feet in width, as hereinbefore specified.

SEC. . That the said channel of thirty feet in depth and three hundred and fifty in width having been maintained for ten years, one-half of the one million dollars hereinbefore mentioned shall be released and paid to said Eads, his assigns, or legal representatives; and said depth and width having been maintained for ten additional years, the remaining half of the said one million dollars shall be released and paid as aforesaid. And if any of said money shall have been paid under the provisions of this act as hereinafter provided, then the residue shall be paid at the times above stated.

SEC. . That in case said Eads and associates in order to maintain a channel of thirty feet in depth and three hundred and fifty feet in width, shall deem it necessary to expend on said works, during any one or more of said twenty years, any money in excess of the annual payments received by them during said year or years under this act, the Secretary

of War shall, on satisfactory proof of such expenditures, authorize, as often as such extra expenditures may require the payment of the same from the said money in pledge, to said Eads or his legal representatives. And such payments shall be made from the five hundred thousand dollars to be released at the end of ten years before any payment shall be made from the five hundred thousand dollars to be released at the end of twenty years; and if any failure to maintain said channel of thirty feet in depth and three hundred and fifty feet in width shall occur, the date for releasing the said money held in pledge shall be postponed for an equal period of time, and the compensation for maintaining said channel shall cease until said depth and width shall be again restored, the maintenance of a channel of thirty feet in depth and three hundred and fifty feet in width for twenty years, exclusive of all such periods of failure, being intended by this act. And at any time after said jettees shall have been completed, and said channel of thirty feet in depth and three hundred and fifty feet in width shall have been obtained, that the United States may elect to pay the said one million dollars, and stop the payment of said interest and said annual sum of one hundred thousand dollars for the maintenance of said depth and width, said United States shall have the right to do so on payment of said money held as security and in pledge as aforesaid, together with the interest and annual compensation for maintenance which may be earned at the date of such final payment; and on such payment being made by the United States the supervision and maintenance of said jettees and auxiliary works by said Eads and associates, and all liability on their part, shall cease and determine.

SEC. . That in order to facilitate the proper location of said jettees, which shall not be less than seven hundred feet apart, and to correctly determine such effects as may be produced by them, the Chief of the Coast Survey shall, as soon as practicable, cause a careful topographic and hydrographic survey to be made of said pass and bar, and shall submit the same to the Secretary of War, who shall furnish to said Eads the results of any such survey. And the sum of five thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for said survey and examination.

SEC. . That any person maliciously or intentionally injuring said works, or interfering with the construction thereof, shall be deemed guilty of a misdemeanor, and may be tried for such offense before the district court of the United States for the district wherein such offense may be committed; and, if found guilty, he shall be liable to a fine not exceed-

ing one thousand dollars, or to imprisonment for not more than two years, or to both fine and imprisonment as aforesaid, for each offense

SEC. . That the said Eads and his associates shall have the right, under such regulations as the Secretary of War shall prescribe, to use any materials on the public lands of the United States that shall be suitable for, and may be needed in, the construction of said works.

SEC. . That in case of death or other disability of said Eads before the completion of said works, the same shall be prosecuted and completed by his legal representatives and his associates aforesaid, with the same powers, rights, obligations, and compensations as if done by him in person.

SEC. . That the Secretary of War be, and he is hereby, authorized and directed to carry into effect the provisions of this act on behalf of the United States, and, when the said Eads and his associates shall, from time to time, have fulfilled on their part the several foregoing conditions of this act, to draw his warrants upon the Treasurer of the United States in favor of said Eads, or his legal representatives, in payment of the aforesaid amounts as they respectively become due by the provisions of his act. And it shall be the duty of the Secretary of War to embody in his annual reports the payments made from time to time under this act, and the probable times when other payments will become due, and to report during the construction of the works herein authorized all important facts relating to the progress of the same, the materials used, and the character and permanency with which the said jetties and auxiliary works are being constructed, to the end that the Congress of the United States may be kept fully advised as to the faithfulness and efficiency with which the said works are being executed by the said Eads and associates, it being expressly understood that while said Eads shall be entrained in the exercise of his judgment and skill in the location, design, and construction of said jetties and auxiliary works, the intent of this act is not simply to secure the wide and deep channel first above named, but likewise to provide for the construction of thoroughly substantial and permanent works by which said channel may be maintained for all time after their completion. And in case the Secretary of War shall be of the opinion that this work is not being constructed according to the spirit and intent of this act, he shall report the same to the President, who shall appoint a commission, consisting of an officer of the Army, an officer of the Navy, and a competent person from civil life, to inspect and examine the works being constructed by said Eads and his associates: and in case the said commission shall report that the works are being constructed upon a design that will not be of a substantial and permanent

character when completed, all the facts in the case shall be laid before Congress at the earliest possible moment, and payments upon said works shall be suspended until Congress shall otherwise order.

SEC. . That the option of discharging the obligations herein assumed by the United States either in money or bonds, is expressly reserved; and the Secretary of the Treasury is hereby directed to issue the bonds of the United States, bearing five per centum interest, of the character and description set out in the act entitled "An Act to authorize the refunding of the public debt," approved July fourteenth, eighteen hundred and seventy, to said Eads or his legal representatives, in payment at par of the aforesaid warrants of the Secretary of War, unless the Congress of the United States shall have previously provided for the payment of the same by the necessary appropriations of money: *Provided*, That in no case shall the Government of the United States be liable for any losses incurred by said Eads and his associates in the performance of the work herein mentioned, nor shall any payments thereon be made in excess of the sums nor contrary to the terms hereinbefore prescribed. *Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

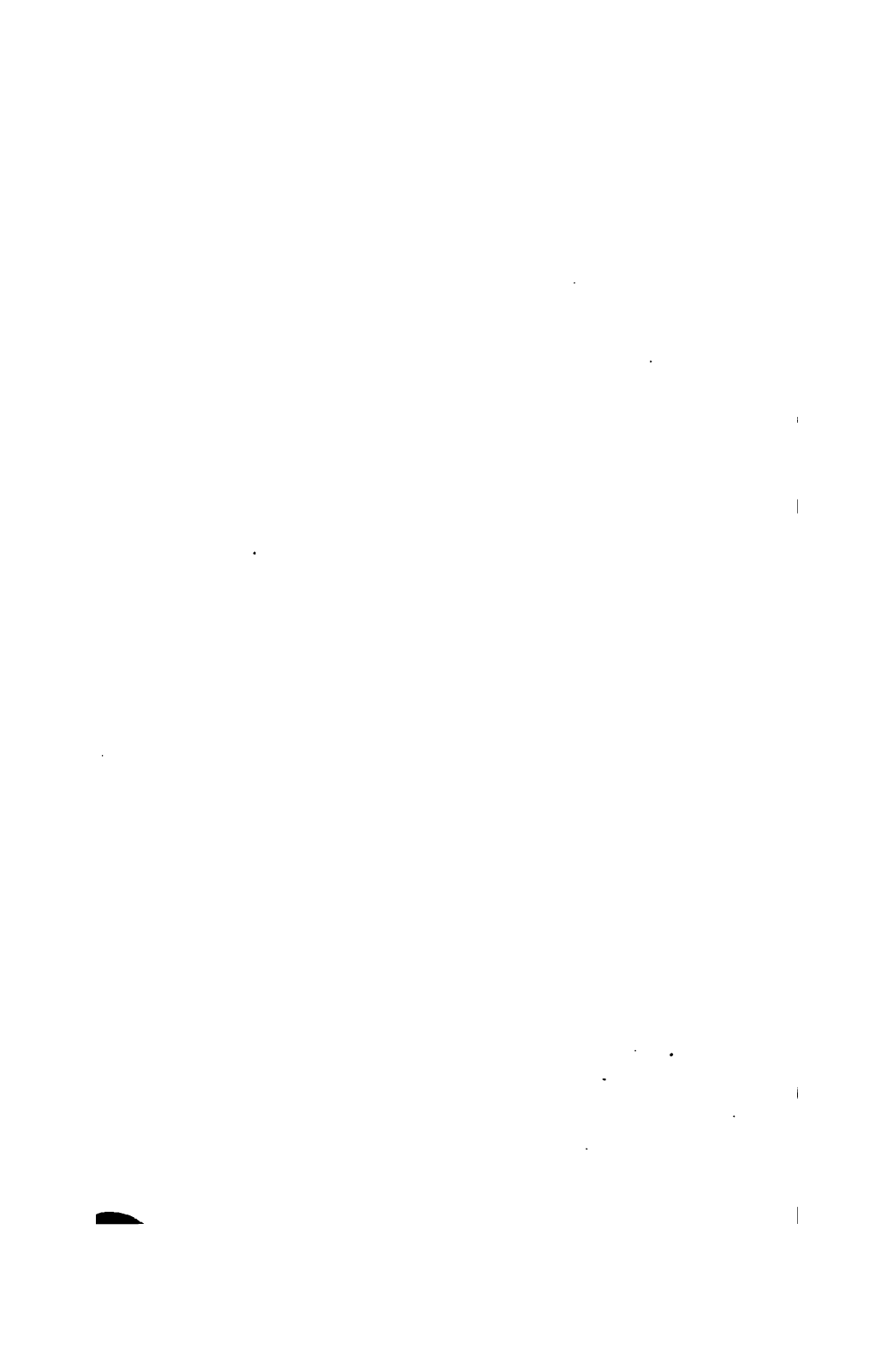
OFFICIAL:

*Assistant Adjutant General.*

1. The first part of the document is a list of names and titles, followed by a list of dates and times.







GENERAL ORDERS } WAR DEPARTMENT,  
No. 35. } ADJUTANT GENERAL'S OFFICE,  
Washington, March 23, 1875.

The following Acts of Congress are published for the information and government of all concerned:

ILL. AN ACT to provide for the construction of military roads in Arizona.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be, and is hereby, appropriated, from any money in the Treasury of the United States not otherwise appropriated, the sum of fifteen thousand dollars, to be used under the direction of the Secretary of War in the construction of military roads in the Territory of Arizona, as follows, namely, from Fort Whipple to Camp McDowell, with a branch to Camp Verde, and from Fort Whipple to Skull Valley direct.*

*Approved March 3, 1875.*

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ILL. AN ACT to set apart a certain portion of the island of Mackinac, in the Straits of Mackinac, within the State of Michigan, as a national park.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the island of Mackinac, lying in the Straits of Mackinac, within the county of Mackinac, in the State of Michigan, as is now held by the United States under military reservation or otherwise, (excepting the Fort Mackinac and so much of the present reservation thereof as bounds it to the south of the village of Mackinac, and to the west, north and east respectively by lines drawn north and south, east and west, at a distance from the present fort flag-staff of four hundred yards,) hereby is reserved and withdrawn from settlement, occupancy, or sale under the laws of the United States, and dedicated and set apart as a national public park, or grounds, for health, comfort, and pleasure, for the benefit and enjoyment of the people; and all persons who shall locate or settle upon or occupy the same, or any part thereof, except as herein provided, shall be considered trespassers, and removed therefrom.*

SEC. 2. That said public park shall be under the exclusive control of the Secretary of War, whose duty it shall be, as soon as practicable, to make and publish such rules and regulations as he may deem necessary or proper for the care and management of the same. Such regulations

shall provide for the preservation from injury or spoliation of all timber, mineral deposits, natural curiosities, or wonders within said park, and their retention in their natural condition. The Secretary may in his discretion grant leases, for building purposes, of small parcels of ground, at such places in said park as shall require the erection of buildings for the accommodation of visitors, for terms not exceeding ten years; all of the proceeds of said leases and all other revenues derived from any source connected with said park, to be expended, under his direction, in the management of the same and in the construction of roads and bridle-paths therein. He shall provide against the wanton destruction of game or fish found within said park, and against their capture or destruction for any purposes of use or profit. He also shall cause all persons trespassing upon the same after the passage of this act to be removed therefrom, and generally shall be authorized to take all such measures as shall be necessary or proper to fully carry out the objects and purposes of this act.

SEC. 3. That any part of the park hereby created shall at all times be available for military purposes, either as a parade or drill ground, in time of peace, or for complete occupation in time of war, or whenever war is expected, and may also be used for the erection of any public buildings or works: *Provided*, That no person shall ever claim or receive of the United States any damage on account of any future amendment or repeal of this act, or the taking of said park, or any part thereof, for public purposes or use.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General*

GENERAL ORDERS }  
No. 36. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 23, 1875.

The following Acts of Congress are published for the information and government of all concerned:

L..AN ACT authorizing the Secretary of War to deliver certain condemned ordnance to the Joseph Warren Monument Association of Boston, Massachusetts, for monumental purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and is hereby, authorized to deliver to the Joseph Warren Monument Association of Boston, Massachusetts, ten pieces of condemned brass cannon, to be used in the erection of a statue of Joseph Warren, in Boston, Massachusetts: *Provided,* That the same can be done without detriment to the service.

*Approved March 3, 1875.*

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IL..AN ACT to provide for the sale of the buildings and grounds known as the Detroit Arsenal, in the State of Michigan.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to transfer to the custody and control of the Secretary of the Interior, for sale for cash, according to the existing laws of the United States relating to the public lands, after appraisement, to the highest bidder, after giving not less than ninety days' notice of the time and place of such sale in three of the most prominent newspapers published in said State, and at not less than the appraised value, the buildings and grounds known as the Detroit Arsenal in the State of Michigan: *Provided,* That the Secretary of the Interior shall cause the said property to be subdivided into tracts of not more than forty acres each, or into town lots with proper streets to render the same accessible: *And provided further,* That each subdivision, together with any buildings, building materials, or other property thereon shall be appraised and offered separately, at public outcry, to the highest bidder,

and in case any subdivison or subdivisions shall remain unsold, the sale shall be postponed from time to time until the entire tract shall be disposed of as hereinbefore provided.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Asristant Adjutant General.*

GENERAL ORDERS }  
No 37. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 23, 1875.

The following Acts of Congress are published for the information and government of all concerned :

...AN ACT granting the right of way through the public lands to construct and maintain a railroad.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the right of way through the public lands is hereby granted to Daniel P. Holland, the proprietor of the Jacksonville, Pensacola and Mobile Railroad, his associates, successors and assigns, for the construction of a railroad in the States of Florida and Alabama from the present terminus of said railroad on the Apalachicola River, in the State of Florida, through the States of Florida and Alabama, to the city of Mobile, Alabama; and from a point on the line of said railroad to the city of Pensacola; and from a point opposite the corporate limits of the city of Jacksonville, on the Saint John's River, to the city of Saint Augustine, Florida; and the right, power, and authority are hereby granted to said Daniel P. Holland, his successors, assigns, or associates, to take from the public lands adjacent to the line of said railway, to the extent of one hundred feet in width on each side of the central line of said road where it may pass through the public lands, material for the construction and maintenance thereof; and the necessary grounds for stations and depots, or other necessary places, such as turn-outs and water-stations, are hereby granted to said Daniel P. Holland, his successors or assigns, to an amount not exceeding twenty acres for each ten miles in length of main line of railroad where it may pass through the public lands: *Provided,* That within one year from the passage of this act the said Daniel P. Holland, proprietor of the Jacksonville, Pensacola and Mobile Railroad, his successors, assigns, or associates, shall file with the Secretary of the Interior his acceptance of this act and the map of the routes exhibiting the line of the road, and the right to take material shall cease upon the completion of the said road.

SEC. 2. That said railroad shall be a post-route and a military road, and Congress at any time may fix rates of tariff for troops, materials of war, and mails, and may add to, alter, or amend this act.

SEC. 3. That all acts and parts of acts conflicting with this act be, and they are hereby, repealed.

SEC. 4. That if the said road shall not be completed and put in operation within five years after the passage of this act all rights herein granted shall cease and determine.

*Approved March 3, 1875.*

II...AN ACT granting to railroads the right of way through the public lands of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the right of way through the public lands of the United States is hereby granted to any railroad company duly organized under the laws of any State or Territory, except the District of Columbia, or by the Congress of the United States, which shall have filed with the Secretary of the Interior a copy of its articles of incorporation, and due proofs of its organization under the same, to the extent of one hundred feet on each side of the central line of said road; also the right to take, from the public lands adjacent to the line of said road, material, earth, stone, and timber necessary for the construction of said railroad; also ground adjacent to such right of way for station-buildings, depots, and machine shops, side tracks, turn-outs, and water-stations, not to exceed in amount twenty acres for each station, to the extent of one station for each ten miles of its road.

SEC. 2. That any railroad company whose right of way, or whose track or road-bed upon such right of way, passes through any canyon, pass, or defile, shall not prevent any other railroad company from the use and occupancy of the said canyon, pass, or defile, for the purposes of its road, in common with the road first located, or the crossing of other railroads at grade. And the location of such right of way through any canyon, pass, or defile shall not cause the disuse of any wagon or other public highway now located therein, nor prevent the location through the same of any such wagon road or highway where such road or highway may be necessary for the public accommodation; and where any change in the location of such wagon road is necessary to permit the passage of such railroad through any canyon, pass, or defile, said railroad company shall, before entering upon the ground occupied by such wagon road, cause the same to be reconstructed at its own expense in the most favorable location, and in as perfect a manner as the original road: *Provided*, That such expenses shall be equitably divided between any number of railroad companies occupying and using the same canyon, pass, or defile.

SEC. 3. That the legislature of the proper Territory may provide for the manner in which private lands and possessory claims on the public

lands of the United States may be condemned ; and where such provision shall not have been made, such condemnation may be made in accordance with section three of the act entitled "An Act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes, approved July first, eighteen hundred and sixty-two," approved July second, eighteen hundred and sixty-four.

SEC. 4. That any railroad-company desiring to secure the benefits of this act, shall, within twelve months after the location of any section of twenty miles of its road, if the same be upon surveyed lands, and, if upon unsurveyed lands, within twelve months after the survey thereof by the United States, file with the register of the land office for the district where such land is located a profile of its road ; and upon approval thereof by the Secretary of the Interior the same shall be noted upon the plats in said office ; and thereafter all such lands over which such right of way shall pass shall be disposed of subject to such right of way : *Provided*, That if any section of said road shall not be completed within five years after the location of said section, the rights herein granted shall be forfeited as to any such uncompleted section of said road.

SEC. 5. That this act shall not apply to any lands within the limits of any military, park, or Indian reservation, or other lands specially reserved from sale, unless such right of way shall be provided for by treaty-stipulation or by act of Congress heretofore passed.

SEC. 6. That Congress hereby reserves the right at any time to alter, amend, or repeal this act, or any part thereof.

*Approved March 3, 1875.*

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III.—AN ACT amendatory of the act approved March 3, 1873, entitled "An Act authorizing the construction of a bridge across the Mississippi River at Saint Louis, in the State of Missouri.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Saint Clair and Carondelet Bridge Company be, and the same is hereby, authorized and empowered, in constructing the bridge authorized by the act of which this act is amendatory, to erect over the main channel of said river two straight continuous spans of not less than four hundred and fifty feet each in the clear, of the pier, at low-water mark, the said two spans to be placed over the main channel instead of "the two spans over the main channel of the river" required by the act of which this act is amendatory :



*Provided*, That any bridge built under the provisions of this act, or the act of which this act is amendatory, shall not be constructed of arch spans.

SEC. 2. That if the said corporation accept the bridge site, numbered "2" on the plan and survey submitted to the Secretary of War, the company shall be required to close Cahokia Bend by a dam or similar work to hold the channel against the western bluffs above the bridge: *And provided further*, That after the said company shall have accepted the site and definitely planned the bridge with its piers, the plan shall be submitted to the Secretary of War for his approval And in maintaining and operating said bridge it shall be subject to all the conditions and restrictions imposed by the act of which this is amendatory.

SEC. 3. That Congress shall at all times have the right to amend or repeal this act.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 38. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 23, 1875.

The following Act of Congress is published for the information and government of all concerned:

AN ACT to protect ornamental and other trees on Government reservations and on lands purchased by the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if any person or persons shall knowingly and unlawfully cut, or shall knowingly aid, assist, or be employed in unlawfully cutting, or shall wantonly destroy or injure, or procure to be wantonly destroyed or injured, any timber-tree or any shade or ornamental tree, or any other kind of tree, standing, growing, or being upon any lands of the United States, which, in pursuance of law, have been reserved, or which have been purchased by the United States for any public use, every such person or persons so offending, on conviction thereof before any circuit or district court of the United States, shall, for every such offense, pay a fine not exceeding five hundred dollars, or shall be imprisoned not exceeding twelve months.

SEC. 2. That if any person or persons shall knowingly and unlawfully break or destroy any fence, wall, hedge, or gate inclosing any lands of the United States, which have, in pursuance of any law, been reserved or purchased by the United States for any public use, every such person so offending, on conviction, shall, for every such offense, pay a fine not exceeding two hundred dollars, or be imprisoned not exceeding six months.

SEC. 3. That if any person or persons shall knowingly and unlawfully break, open, or destroy any gate, fence, hedge, or wall inclosing any lands of the United States, reserved or purchased as aforesaid, and shall drive any cattle, horses, or hogs upon the lands aforesaid for the purpose of destroying the grass or trees on the said grounds, or where they may destroy the said grass or trees, or if any such person or persons shall knowingly permit his or their cattle, horses, or hogs to enter through any of said inclosures upon the lands of the United States aforesaid,

where the said cattle, horses, or hogs may or can destroy the grass or trees or other property of the United States on the said land, every such person or persons so offending, on conviction, shall pay a fine not exceeding five hundred dollars, or be imprisoned not exceeding twelve months: *Provided*, That nothing in this act shall be construed to apply to unsurveyed public lands and to public lands subject to pre-emption and homestead laws, or to public lands subject to an act to promote the development of the mining resources of the United States, approved May tenth, eighteen hundred and seventy-two.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 39.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 23, 1875.

The following Act of Congress is published for the information and government of all concerned:

AN ACT to establish the boundary-line between the State of Arkansas and the Indian country.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the boundary-line between the State of Arkansas and the Indian country, as originally surveyed and marked, and upon which the lines of the surveys of the public lands in the State of Arkansas were closed, be, and the same is hereby, declared to be the permanent boundary-line between the said State of Arkansas and the Indian country.

SEC. 2. That the Secretary of the Interior shall, as soon as practicable, cause the boundary-line, as fixed in the foregoing section, to be retraced and marked in a distinct and permanent manner; and if the original line, when retraced, shall be found to differ in any respect from what the boundary-line would be if run in accordance with the provisions of the treaties establishing the eastern boundary-line of the Choctaw and Cherokee Nations, then the surveyors shall note such variations and compute the area of the land which in that case would be taken from the State of Arkansas or the Indian country, as the case may be; and the Secretary of the Interior shall also cause any monuments set up in any former survey indicating any line at variance with the survey provided for in this act to be obliterated.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 40. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 24, 1875.

The following Joint Resolutions of Congress are published for the information and government of all concerned:

I..JOINT RESOLUTION explanatory of an act entitled "An Act fixing the number of Paymasters in the Army of the United States," approved March second, eighteen hundred and seventy-five.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the intent and meaning of an act entitled "An Act fixing the number of paymasters in the Army of the United States," approved March two, eighteen hundred and seventy-five, was to authorize the appointment of such additional number of paymasters with the rank of major as will make the total number of paymasters with the rank of major fifty, and no more. And so much of section eleven hundred and ninety-four of the Revised Statutes as applies to the paymasters of the rank of major be, and the same is hereby, repealed.*

*Approved March 3, 1875.*

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II..JOINT RESOLUTION for the relief of Lowell A. Chamberlain.

Whereas, it appears that Lowell A. Chamberlain was induced to tender the resignation of his commission of first lieutenant in the First Regiment of Artillery, United States Army, under the apprehension of being dismissed therefrom by sentence of a general court martial, which resignation was accepted by the President of the United States, to date November seventeenth, eighteen hundred and seventy-three; and

Whereas the vacancy created by the acceptance of the said resignation has been filled by promotion in regular course: now, therefore,

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President be, and he is hereby, authorized and empowered to restore the said Lowell A. Chamberlain to his position in the Third Regiment of Artillery, United States Army, with the same rank and date of commission, and without forfeiture of pay, as if he had not tendered his resignation: Provided, That the President shall be convinced, upon an examination of the evidence in the case, that the dismissal of the said Chamberlain by sentence of*

the general court martial, before which he was tried, would have been unjust and not warranted by the facts: *And provided, further,* That no vacancy which may hereafter occur in the grade of first lieutenant in the First Regiment of Artillery, United States Army, shall be filled until the number of officers in that grade in the said regiment shall be reduced to the number now allowed by law.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 41.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 24, 1875.

The following Acts of Congress are published for the information and government of all concerned :

I...AN ACT to aid in the improvement of the Fox and Wisconsin Rivers, in the State of Wisconsin.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever, in the prosecution and maintenance of the improvement of the Wisconsin and Fox Rivers in the State of Wisconsin, it becomes necessary or proper in the judgment of the Secretary of War to take possession of any lands, or the right of way over any lands, for canals and cut-offs, or to use any earth-quarries or other material lying adjacent or near to the line of said improvement, and needful for its prosecution or maintenance, the officers in charge of said works may, in the name of the United States, take possession of and use the same, after first having paid or secured to be paid the value thereof, which may have been ascertained in the mode provided by the laws of the State wherein such property lies. In case any lands or other property is now or shall be flowed or injured by means of any part of the works of said improvement heretofore or hereafter constructed for which compensation is now or shall become legally owing, and in the opinion of the officer in charge it is not prudent that the dam or dams be lowered, the amount of such compensation may be ascertained in like manner. The Department of Justice shall represent the interests of the United States in legal proceedings under this act, and for flowage-damages hereinbefore occasioned.

SEC. 2. That a portion of the appropriation now made for the further prosecution of the improvement aforesaid, not exceeding in amount twenty-five thousand dollars, may be applied in payment for the property and rights taken and used as aforesaid.

*Approved March 3, 1875.*

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II...AN ACT for the further security of navigation on the Mississippi River.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and directed to inquire into the expediency of causing sheer-booms to be placed on the upper end of all or any bridge-piers on the Mississippi River, for the better security and convenience of



the navigation of said river for rafts of logs and timber, with specific report in each case.

*Approved March 3, 1875.*

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III...AN ACT to donate a certain portion of the military reservation of Fort Brady to school district number one, in township of Sault Sainte Marie and State of Michigan, for school purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a certain portion of the military reservation of Fort Brady, situate in the county of Chippewa and State of Michigan, containing one and twenty-six hundredths acres, and bounded on the north by Portage street, on the east by Church street, on the south by Ridge street, and on the west by the west line of said military reservation, be, and the same is hereby, donated to school-district numbered one, in the township of Sault Sainte Marie, in the county and State aforesaid, for school purposes, and for no other purpose.

SEC. 2. That so much of Portage street, Church street, and Ridge street, in the village of Sault Sainte Marie, as is so represented upon a map of said village, filed in the General Land Office, as shall embrace the portion of ground aforesaid, be established as such streets.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 42. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 25, 1875.*

I..At posts where fresh vegetables cannot be raised, the ration of bread will be increased, at the discretion of the Department Commander, from 18 ounces to 22 ounces. Savings on flour will continue to be applied as heretofore.

II..Regimental, post, and company fund accounts will hereafter be transmitted through Department Headquarters, with a view to the exercise by Department Commanders of a proper administrative control over the officers charged with their care and disbursement. They will then, as heretofore, be sent to the Adjutant General for settlement and record.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 43. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, March 25, 1875.*

The following opinion of the Attorney General of the United States is published for the information and government of all concerned :

### OPINION.

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DEPARTMENT OF JUSTICE,  
*WASHINGTON, March 4, 1875.*

HON. W. W. BELKNAP,  
*Secretary of War.*

SIR: I have the honor to acknowledge the receipt of your letter of the 24th ultimo, transmitting for my information a copy of a communication from Lieutenant Colonel Lugenbeel, relative to three Sisseton Santee Sioux Indians, confined at Fort Randall, who he asks may be tried by Military Commission. It appears that these Indians are charged with the murder of one and the dangerous wounding of another Ponca Indian. General Terry, in his indorsement on the letter of Colonel Lugenbeel, says that he knows of no authority for trying them by Military Commission, but suggests that the District Attorney for Dakota be informed of the case, with a view to the indictment of the prisoners in the courts of that Territory.

There is no jurisdiction conferred upon State or Territorial courts in cases of this kind. Section 2146 of the Revised Statutes of the United States, as amended by the act of February 18, 1875, entitled "An Act to correct errors and supply omissions in the Revised Statutes of the United States," provides that section 2145 shall not be construed to extend to crimes committed by one Indian against the person or property of another Indian, nor to any Indian committing an offense in the Indian country who has been punished by the local law of the tribe.

Therefore, under this provision of law, I am unable to instruct the District Attorney in accordance with the wishes of General Terry.

Very respectfully, your obedient servant,

GEO. H. WILLIAMS,  
*Attorney General.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 44.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 25, 1875.

The following Act of Congress is published for the information and government of all concerned :

AN ACT to authorize the construction of a ponton wagon-bridge across the Mississippi River, at or near the city of Dubuque, in the State of Iowa.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for any person or persons, company or corporation, authorized by the laws of Iowa, Illinois, or Wisconsin, to construct a pile and ponton wagon-bridge across the Mississippi River at or near the city of Dubuque, in the State of Iowa, so as to connect with the opposite shore of the said river, in either of the States of Wisconsin or Illinois ; said bridge to be built subject, except as herein modified, to all the terms, requirements, and limitations contained in the act entitled "An Act to legalize and establish a ponton railway-bridge across the Mississippi River at Prairie du Chien, and to authorize the construction of a similar bridge at or near Clinton, Iowa," approved June sixth, eighteen hundred and seventy-four, so far as they may be applicable thereto.

SEC. 2. That the bridge shall be constructed with a suitable ponton-draw of not less than five hundred feet in width, located over the main channel of the river: *Provided*, That said bridge shall not be built or commenced until the plan and specifications for its construction have been submitted to the Secretary of War for his approval, nor until he shall approve the plan and location of said bridge ; and if any change be made in the plan of construction of said bridge at any time, such change shall be subject to the approval of the Secretary of War ; and any change in the construction, or any alteration of said bridge that may be directed at any time by Congress or the Secretary of War, shall be made at the cost and expense of the owners thereof.

SEC. 3. That Congress may at any time alter, amend, or repeal this act.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 45. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 25, 1875.

The following Acts of Congress are published for the information and government of all concerned:

I..AN ACT for the relief of John Fletcher, surviving partner of Fletcher and Powell.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to pay to John Fletcher, surviving partner of Fletcher and Powell, out of any money in the Treasury not otherwise appropriated, the sum of one thousand three hundred and ninety-nine dollars and thirty-five cents, for over-deduction by the Government of the United States for transportation of military supplies from Fort Leavenworth, in the State of Kansas, to Fort Laramie, Wyoming Territory, in the year eighteen hundred and sixty-five.

*Approved March 3, 1875.*

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II..AN ACT for the relief of William M. Kimball.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be directed to cause to be paid to William M. Kimball the full pay and emoluments of a lieutenant and regimental quartermaster of the Eleventh Minnesota Volunteers, from the tenth day of October, eighteen hundred and sixty-two, to the eighth day of May, eighteen hundred and sixty-three; and a sum sufficient to pay the same is hereby appropriated out of any money not otherwise appropriated by law.

*Approved March 3, 1875.*

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III..AN ACT for the relief of William N. Denny, major of the Fifty-first Indiana Volunteer Infantry.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Paymaster-General of the United States Army, be, and he is hereby, authorized and directed to pay, out of any money appropriated or hereafter to be appropriated for the payment of the Army, to William N. Denny, late major in the Fifty-first Regiment of Indiana Volunteers, the pay and emoluments of a major of infantry, from the thirtieth day of June, eighteen hundred and sixty-



three, the date his commission was received at the headquarters of the command to which he belonged, to the fifteenth day of May, eighteen hundred and sixty-five, the date of his muster-in as lieutenant-colonel, as if he had been mustered in as major on the date of the receipt of his commission, first deducting whatever sum may have been paid said William N. Denny as captain during the period for which pay is hereby allowed as major.

*Approved March 3, 1875.*

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IV. AN ACT for the relief of Alexander Minor, of West Virginia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is hereby directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander Minor, late a private in Company B of the Twelfth Regiment of West Virginia Volunteer Infantry, United States Army, the sum of two hundred and thirty-four dollars, being the amount of bounty and pay improperly withheld from him on a charge of absence without leave.

*Approved March 3, 1875.*

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V. AN ACT for the relief of L. R. Strauss, of Macon City, Missouri.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be paid to Leopold R. Strauss, out of any money heretofore appropriated, or hereafter to be appropriated, for the use of the Quartermaster's Department, two hundred and one dollars and ninety cents, for clothing furnished the Army in the year eighteen hundred and sixty-four, by direction of the commanding general of the district of North Missouri.

*Approved March 3, 1875.*

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General*

GENERAL ORDERS }  
No. 46.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, March 27, 1875.

The following order of the President of the United States is published for the information and guidance of all concerned:

EXECUTIVE MANSION, March 25, 1875.

In pursuance of the 4th section of the act entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1876, and for other purposes," approved March 3, 1875, a board is hereby appointed, to consist of—

Lieutenant Colonel *T. T. S. Laidley*, Ordnance Department, U. S. Army, President of the Board;

Commander *L. A. Beardslee*, U. S. Navy;

Lieutenant Colonel *Q. A. Gillmore*, Engineer Department, U. S. Army;

*David Smith*, Chief Engineer, U. S. Navy;

*W. Scoy Smith*, Civil Engineer;

*A. S. Holly*, Civil Engineer;

*E. H. Thurston*, Civil Engineer;

who will convene at the Watertown Arsenal, Massachusetts, on April 15, 1875, or as soon thereafter as practicable, for the purpose of determining, by actual tests, the strength and value of all kinds of iron, steel, and other metals which may be submitted to them, or by them procured, and to prepare tables which will exhibit the strength and value of said materials for constructive and mechanical purposes, and to provide for the building of a suitable machine for establishing such tests, the machine to be set up and maintained at the Watertown Arsenal.

The funds appropriated for the purposes of these tests will be disbursed under the Ordnance Department of the Army, and the Board will receive instructions from, and make its report to, the Chief of Ordnance.

Mr. *E. H. Thurston*, Civil Engineer, is designated as Secretary of the Board at an annual compensation of twelve hundred dollars.

Actual travelling expenses, as provided by law, will be allowed the members of the Board.

U. S. GRANT.

The following is the Section of the Act of Congress above referred to:

SEC. 4. That for experiments in testing iron and steel, including the cost of any machine built for such purpose, the sum of fifty thousand dollars is hereby appropriated; and the further sum of twenty-five thousand dollars provided "for improved machinery and instruments for testing American iron and steel" in the act entitled "An Act making appropriations for the support of the Army for the year ending June

thirtieth, eighteen hundred and seventy-four," approved March third, eighteen hundred and seventy-three, is hereby continued and made available for such purpose; and that the President be, and he hereby is, authorized to appoint a board, to consist of one officer of the engineers of the United States Army, one officer of ordnance of the United States Army, one line-officer of the United States Navy, one engineer of the United States Navy, and three civilians who shall be experts; and it shall be the duty of said board to convene at the earliest practicable moment, at such place as may be designated by the President, for the purpose of determining, by actual tests, the strength and value of all kinds of iron, steel, and other metals which may be submitted to them or by them procured, and to prepare tables which will exhibit the strength and value of said materials for constructive and mechanical purposes, and to provide for the building of a suitable machine for establishing such tests: *Provided*, That no officers in the pay of the Government shall be entitled to, or receive, any additional compensation by reason of any services rendered in connection with this board; but one of the civil experts shall act as secretary of the board, and shall be entitled, under this act, to such compensation as the President may deem proper and fit: *Provided*, That not more than fifteen thousand dollars of the sum herein provided shall be used for the expenses of such board.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }

No. 47. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, April 1, 1875.*

The following promotions and appointments in the Army of the United States, made by the President, by and with the advice and consent of the Senate, and by the President alone, since the publication of General Orders No. 117, of October 1, 1874, and up to April 1, 1875, are announced:

[Those made by the President alone are designated by a (\*) star.]

### I.. PROMOTIONS.

#### ADJUTANT GENERAL'S DEPARTMENT.

Lieutenant Colonel James B. Fry, Assistant Adjutant General, to be Assistant Adjutant General with the rank of Colonel, March 3, 1875, *vice* Nicholls, deceased.

Major William D. Whipple, Assistant Adjutant General, to be Assistant Adjutant General with the rank of Lieutenant Colonel, March 3, 1875, *vice* Fry, promoted.

Major Chauncey McKeever, Assistant Adjutant General, to be Assistant Adjutant General with the rank of Lieutenant Colonel, March 3, 1875, *vice* Hartsuff, retired from active service.

#### QUARTERMASTER'S DEPARTMENT.

Major Judson D. Bingham, Quartermaster, to be Deputy Quartermaster General with the rank of Lieutenant Colonel, March 3, 1875, *vice* F. Myers, deceased.

Major Alexander J. Perry, Quartermaster, to be Deputy Quartermaster General with the rank of Lieutenant Colonel, March 3, 1875, *vice* Tyler, deceased.

Captain Charles A. Reynolds, Assistant Quartermaster, to be Quartermaster with the rank of Major, March 3, 1875, *vice* Bingham, promoted.

Captain George B. Dandy, Assistant Quartermaster, to be Quartermaster with the rank of Major, March 3, 1875, *vice* Perry, promoted.

#### SUBSISTENCE DEPARTMENT.

Lieutenant Colonel Marcus D. L. Simpson, Assistant Commissary General of Subsistence, to be Assistant Commissary General of Subsistence with the rank of Colonel, to date from June 23, 1874, *vice* Shiras, appointed Commissary General of Subsistence, [instead of from May 1, 1874, as announced in General Orders No. 77, of July 6, 1874.]

Major William W. Burns, Commissary of Subsistence, to be Assistant Commissary General of Subsistence with the rank of Lieutenant Colonel, to date from June 23, 1874, *vice* Simpson, promoted, [instead of from May 1, 1874, as announced in General Orders No. 77, of July 6, 1874.]

Captain John P. Hawkins, Commissary of Subsistence, to be Commissary of Subsistence with the rank of Major, to date from June 23, 1874, *vice* Burns, promoted, [instead of from May 1, 1874, as announced in General Orders No. 77, of July 6, 1874.]

#### ORDNANCE DEPARTMENT.

Lieutenant Colonel Franklin D. Callender, to be Colonel, to date from June 23, 1874, *vice* Maynadier, deceased, [instead of from July 3, 1871, as announced in General Orders No. 117, of October 1, 1874.]

Major James G. Benton, to be Lieutenant Colonel, to date from June 23, 1874, *vice* Kingsbury, retired from active service, [instead of from December 31, 1870, as announced in General Orders No. 117, of October 1, 1874.]

Major John McNutt, to be Lieutenant Colonel, to date from June 23, 1874, *vice* Rodman, deceased, [instead of from June 7, 1871, as announced in General Orders No. 117, of October 1, 1874.]

Major Julian McAllister, to be Lieutenant Colonel, to date from June 23, 1874, *vice* Callender, promoted, [instead of from July 3, 1871, as announced in General Orders No. 117, of October 1, 1874.]

Captain James M. Whittemore, to be Major, to date from June 23, 1874, *vice* Edson, deceased, [instead of from November 17, 1870, as announced in General Orders No. 117, of October 1, 1874.]

Captain Adelbert R. Buffington, to be Major, to date from June 23, 1874, *vice* Benton, promoted, [instead of from December 31, 1870, as announced in General Orders No. 117, of October 1, 1874.]

Captain Daniel W. Flagler, to be Major, to date from June 23, 1874, *vice* McNutt, promoted, [instead of from June 7, 1871, as announced in General Orders No. 117, of October 1, 1874.]

Captain Richard M. Hill, to be Major, to date from June 23, 1874, to fill a vacancy, [instead of from January 12, 1872, as announced in General Orders No. 117, of October 1, 1874.]

Captain Alfred Mordecai, to be Major, to date from June 23, 1874, *vice* Porter, resigned, [instead of from December 31, 1873, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant George W. McKee, to be Captain, to date from June 23, 1874, *vice* Buel, deceased, [instead of from July 22, 1870,] as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant Frank H. Phipps, to be Captain, to date from June 23, 1874, *vice* Harris, honorably discharged, [instead of from September 21, 1870, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant James W. Reilly, to be Captain, to date from June 23, 1874, *vice* Whittemore, promoted, [instead of from November 17, 1870, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant George D. Ramsay, jr., to be Captain, to date from June 23, 1874, *vice* Myers, honorably discharged, [instead of from December 31, 1870, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant John A. Kress, to be Captain, to date from June 23, 1874, *vice* Flagler, promoted, [instead of from June 7, 1871, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant Otho E. Michaelis, to be Captain, to date from June 23, 1874, to fill a vacancy, [instead of from July 3, 1871, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant William Prince, to be Captain, to date from June 23, 1874, *vice* Schaff, resigned, [instead of from December 31, 1871, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant Clarence E. Dutton, to be Captain, to date from June 23, 1874, *vice* Hill, promoted, [instead of from January 12, 1872, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant John G. Butler, to be Captain, to date from June 23, 1874, *vice* Mordecai, promoted, [instead of from December 31, 1873, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant Cullen Bryant, to be Captain, to date from June 23, 1874, to fill a vacancy, [instead of from January 1, 1874, as announced in General Orders No. 117, of October 1, 1874.]

First Lieutenant Almon L. Varney, to be Captain, October 29, 1874, *vice* Edie, deceased.

Second Lieutenant Almon L. Varney, to be First Lieutenant, to date from June 23, 1874, *vice* McGinness, promoted, [instead of from February 10, 1869, as announced in General Orders No. 117, of October 1, 1874.]

Second Lieutenant Joseph C. Clifford, to be First Lieutenant, to date from June 23, 1874, *vice* McKee, promoted, [instead of from July 22, 1870, as announced in General Orders No. 117, of October 1, 1874.]

Second Lieutenant Edward M. Wright, to be First Lieutenant, to date from June 23, 1874, *vice* Reilly, promoted, [instead of from November 17, 1870, as announced in General Orders No. 117, of October 1, 1874.]

Second Lieutenant John E. Greer, to be First Lieutenant, to date from June 23, 1874, to fill a vacancy, [instead of from December 31, 1870, as announced in General Orders No. 117, of October 1, 1874.]

Second Lieutenant John Pitman, to be First Lieutenant, to date from June 23, 1874, *vice* Ramsay, promoted, [instead of from December 31, 1870, as announced in General Orders No. 117, of October 1, 1874.]

Second Lieutenant Charles Shaler, to be First Lieutenant, to date from June 23, 1874, *vice* Smoot, honorably discharged, [instead of from December 31, 1870, as announced in General Orders No. 117, of October 1, 1874.]

Second Lieutenant Henry Metcalfe, to be First Lieutenant, to date from June 23, 1874, *vice* Kress, promoted, [instead of from June 7, 1871, as announced in General Orders No. 117, of October 1, 1874.]

#### SECOND REGIMENT OF CAVALRY.

\* First Lieutenant James T. Peale, to be Captain, March 3, 1875, *vice* Bates, appointed Paymaster. (Company "B.")

\* Second Lieutenant William A. Dinwiddie, to be First Lieutenant, March 3, 1875, *vice* Peale, promoted. (Company "M.")

#### FOURTH REGIMENT OF CAVALRY.

Second Lieutenant Wentz C. Miller, to be First Lieutenant, September 29, 1874, *vice* Jones, resigned. (Company "D.")

Second Lieutenant Robert G. Carter, to be First Lieutenant, February 21, 1875, *vice* Lynch, deceased. (Company "B.")

#### SIXTH REGIMENT OF CAVALRY.

First Lieutenant William Harper, jr., to be Captain, January 27, 1875, *vice* Irwin, dismissed. (Company "D.")

Second Lieutenant Charles C. Morrison, to be First Lieutenant, January 27, 1875, *vice* Harper, promoted. (Company "K.")

Second Lieutenant Henry P. Kingsbury, to be First Lieutenant, January 27, 1875, *vice* Chickering, cashiered. (Company "D.")

#### TENTH REGIMENT OF CAVALRY.

Second Lieutenant Louis H. Orleman, to be First Lieutenant, October 16, 1874, *vice* Pepon, deceased. (Company "B.")

#### FIRST REGIMENT OF ARTILLERY.

First Lieutenant Chandler P. Eakin, to be Captain, October 1, 1874, *vice* Meade, resigned. (Company "F.")

First Lieutenant Joseph P. Sanger, to be Captain, February 7, 1875, *vice* Silvey, promoted to the Fifth Artillery. (Company "A.")

Second Lieutenant Robert H. Patterson, to be First Lieutenant, October 1, 1874, *vice* Eakin, promoted. (Company "A;" since transferred to Company "K.")

Second Lieutenant Clermont L. Best, jr., to be First Lieutenant, February 7, 1875, *vice* Sanger, promoted. (Company "H")

Second Lieutenant George W. Deshler, to be First Lieutenant, March 1, 1875, *vice* Dillenback, appointed regimental quartermaster. (Battery "K;" since transferred to Company "A")

#### SECOND REGIMENT OF ARTILLERY.

First Lieutenant John H. Calef, regimental adjutant, to be Captain, March 16, 1875, *vice* Benjamin, who resigns his regimental commission only. (Company "K.")

Second Lieutenant John H. Gifford, to be First Lieutenant, November 1, 1874, *vice* Starring, transferred to the Ordnance Department. (Company "A;" since transferred to Company "I.")

Second Lieutenant William Stanton, to be First Lieutenant, November 16, 1874, *vice* DeRussy, resigned. (Company "I.")

#### FOURTH REGIMENT OF ARTILLERY.

Second Lieutenant Charles A. L. Totten, to be First Lieutenant, November 1, 1874, *vice* Smith, transferred to the Ordnance Department. (Company "I.")

#### FIFTH REGIMENT OF ARTILLERY.

Captain William Silvey, of the First Artillery, to be Major, February 7, 1875, *vice* Hays, deceased.

First Lieutenant John R. Brincklé, to be Captain, October 7, 1874, *vice* Rittenhouse, retired from active service. (Company "L.")

First Lieutenant Gulian V. Weir, to be Captain, November 10, 1874, *vice* Hascall, retired from active service. (Company "B;" since transferred to Company "M")

First Lieutenant William E. Van Reed, to be Captain, March 1, 1875, *vice* Du Pont, resigned. (Company "B.")

Second Lieutenant Garland N. Whistler, to be First Lieutenant, October 7, 1874, *vice* Brincklé, promoted (Company "D;" since transferred to Company "E.")

Second Lieutenant J. Estcourt Sawyer, to be First Lieutenant, November 10, 1874, *vice* Weir, promoted. (Company "M.")

Second Lieutenant David D. Johnson, to be First Lieutenant, March 1, 1875, *vice* Van Reed, promoted. (Company "A.")



## FIRST REGIMENT OF INFANTRY.

Captain Henry M. Lazelle, of the Eighth Infantry, to be Major, December 15, 1874, *vice* Mack, promoted to the Twenty-first Infantry.

## SECOND REGIMENT OF INFANTRY.

Lieutenant Colonel Frank Wheaton, of the Twenty-first Infantry, to be Colonel, December 15, 1874, *vice* Woods, retired from active service.

Captain David P. Hancock, of the Seventh Infantry, to be Major, October 24, 1874, *vice* Swaine, promoted to the Fifteenth Infantry.

## SIXTH REGIMENT OF INFANTRY.

First Lieutenant Daniel H. Murdock, to be Captain, October 7, 1874, *vice* Bryant, promoted to the Fourteenth Infantry. (Company "D.")

Second Lieutenant Stephen W. Groesbeck, to be First Lieutenant, October 7, 1874, *vice* Murdock, promoted. (Company "I.")

## SEVENTH REGIMENT OF INFANTRY.

First Lieutenant William Logan, to be Captain, October 24, 1874, *vice* Hancock, promoted to the Second Infantry. (Company "A.")

Second Lieutenant William L. English, to be First Lieutenant, October 24, 1874, *vice* Logan, promoted. (Company "I.")

## EIGHTH REGIMENT OF INFANTRY.

First Lieutenant Daniel T. Wells, to be Captain, December 15, 1874, *vice* Lazelle, promoted to the First Infantry. (Company "H.")

Second Lieutenant John W. Summerhayes, to be First Lieutenant, December 15, 1874, *vice* Wells, promoted. (Company "C.")

## TENTH REGIMENT OF INFANTRY.

Second Lieutenant Walter T. Duggan, to be First Lieutenant, November 13, 1874, *vice* Hoffman, resigned. (Company "D.")

## TWELFTH REGIMENT OF INFANTRY.

\*Second Lieutenant George W. Kingsbury, to be First Lieutenant July 3, 1874, *vice* Eagan, who resigned his regimental commission only. (Company "I.")

## THIRTEENTH REGIMENT OF INFANTRY.

Second Lieutenant Frank Baker, to be First Lieutenant, November 1, 1874, *vice* Blunt, transferred to the Ordnance Department. (Company "G.")

## FOURTEENTH REGIMENT OF INFANTRY.

Captain Montgomery Bryant, of the Sixth Infantry, to be Major, October 7, 1874, *vice* Blunt, promoted to the Twenty-fifth Infantry.

First Lieutenant Thomas F. Tobey, to be Captain, November 23, 1874, *vice* Dost, cashiered. (Company "F.")

Second Lieutenant Albert Austin, to be First Lieutenant, November 23, 1874, *vice* Tobey, promoted. (Company "D.")

#### FIFTEENTH REGIMENT OF INFANTRY.

Major Peter T. Swaine, of the Second Infantry, to be Lieutenant Colonel, October 24, 1874, *vice* Roy, deceased.

\*First Lieutenant John W. Eckles, to be Captain, March 3, 1875, *vice* Willard, appointed Paymaster. (Company "K.")

Second Lieutenant David R. Burnham, to be First Lieutenant, January 1, 1875, *vice* Stafford, appointed regimental quartermaster. (Company "I.")

#### SIXTEENTH REGIMENT OF INFANTRY.

First Lieutenant William H. Clapp, Regimental Quartermaster, to be Captain, December 25, 1874, *vice* Bartholomew, deceased. (Company "I.")

Second Lieutenant George M. Love, to be First Lieutenant, March 1, 1865, *vice* Ward, appointed regimental quartermaster. (Company "G.")

#### EIGHTEENTH REGIMENT OF INFANTRY.

Second Lieutenant George S. Hoyt, to be First Lieutenant, October 5, 1874, *vice* Schultze, deceased. (Company "A.")

#### TWENTY-FIRST REGIMENT OF INFANTRY.

Major Oscar A. Mack, of the First Infantry, to be Lieutenant Colonel, December 15, 1874, *vice* Wheaton, promoted to the Second Infantry.

#### TWENTY-FOURTH REGIMENT OF INFANTRY.

Second Lieutenant John L. Clem, to be First Lieutenant, October 5, 1874, *vice* Neeley, dropped for desertion. (Company "H.")

#### TWENTY-FIFTH REGIMENT OF INFANTRY.

Major Matthew M. Blunt, of the Fourteenth Infantry, to be Lieutenant Colonel, October 7, 1874, *vice* Bootes, retired from active service.

\*First Lieutenant Michael L. Courtney, to be Captain, March 3, 1875, *vice* Cox, appointed Paymaster. (Company "H.")

\*Second Lieutenant Henry P. Ritzius, to be First Lieutenant, March 3, 1875, *vice* Courtney, promoted. (Company "F.")

## II..APPOINTMENTS.

### ADJUTANT GENERAL'S DEPARTMENT.

Captain Samuel N. Benjamin, of the Second Artillery, to be Assistant Adjutant General with the rank of Major, March 3, 1875, *vice* McKeever, promoted.

### SUBSISTENCE DEPARTMENT.

Colonel Alexander E. Shiras, Assistant Commissary General of Subsistence, to be Commissary General of Subsistence with the rank of Brigadier General, to date from June 23, 1874, *vice* Eaton, retired from active service, [instead of from May 1, 1874, as announced in General Orders No. 77, of July 6, 1874.]

### MEDICAL DEPARTMENT.

*To be Assistant Surgeons with the rank of First Lieutenant.*

Charles K. Winne, of New York, (late Assistant Surgeon,) November 10, 1874, to fill an original vacancy.

Fred. C. Ainsworth, of Vermont, November 10, 1874, to fill an original vacancy.

Valery Havard, of New York, November 10, 1874, to fill an original vacancy.

John Van R. Hoff, of New York, November 10, 1874, to fill an original vacancy.

Holmes O. Paulding, of the District of Columbia, November 10, 1874, to fill an original vacancy.

George W. Adair, of Michigan, November 10, 1874, to fill an original vacancy.

Paul R. Brown, of New York, November 10, 1874, to fill an original vacancy.

Edward B. Moseley, of Pennsylvania, November 10, 1874, to fill an original vacancy.

Donald Jackson, of Texas, November 10, 1874, to fill an original vacancy.

Bernard G. Semig, of California, November 10, 1874, to fill an original vacancy.

John O. Skinner, of Maryland, November 10, 1874, to fill an original vacancy.

James A. Finley, of Pennsylvania, November 10, 1874, to fill an original vacancy.

Augustus A. De Loffre, of Louisiana, November 10, 1874, to fill an original vacancy.

Sylvester S. Bedal, of Minnesota, November 10, 1874, to fill an original vacancy.

John B. Hamilton, of Illinois, November 10, 1874, to fill an original vacancy.

Timothy E. Wilcox, of New York, (late Assistant Surgeon,) November 10, 1874, to fill an original vacancy.

Louis M. Maus, of Maryland, November 10, 1874, to fill an original vacancy.

#### PAY DEPARTMENT.

##### *To be Paymasters with the rank of Major.*

1. Captain Frank M. Coxe, of the Twenty-fifth Infantry, March 3, 1875, *vice* J. H. Walker, deceased.

2. Captain Alfred E. Bates, of the Second Cavalry, March 3, 1875, *vice* Ihrie, resigned.

3. Captain John P. Willard, of the Fifteenth Infantry, March 3, 1875, *vice* Taggart, resigned.

4. C. Irving Wilson, of New York, (late Captain Fourteenth Infantry,) March 3, 1875, *vice* Morrow, deceased.

5. John E. Blaine, of Montana Territory, (late Captain and Military Storekeeper, Quartermaster's Department,) March 3, 1875, *vice* Kinzie, deceased.

6. William H. Eckles, of Pennsylvania, March 3, 1875, *vice* R. C. Walker, resigned.

7. James R. Roche, of the District of Columbia, March 3, 1875, *vice* Brua, retired from active service.

8. Albert S. Towar, of Michigan, March 3, 1875, *vice* Burbank, retired from active service.

9. Reginald H. Towler, of Oregon, March 3, 1875, *vice* Mears, retired from active service.

#### ORDNANCE DEPARTMENT.

Second Lieutenant Frank Heath, of the Third Artillery, to be First Lieutenant, November 1, 1874, *vice* Dutton, promoted.

Second Lieutenant Daniel M. Taylor, of the First Artillery, to be First Lieutenant, November 1, 1874, to fill a vacancy.

Second Lieutenant David A. Lyle, of the Second Artillery, to be First Lieutenant, November 1, 1874, *vice* Maclay, resigned.

Second Lieutenant James Rockwell, jr., of the First Cavalry, to be First Lieutenant, November 1, 1874, *vice* Butler, promoted.

Second Lieutenant William B. Weir, of the Fifth Artillery, to be First Lieutenant, November 1, 1874, *vice* Bryant, promoted.

Second Lieutenant James C. Ayres, of the Third Infantry, to be First Lieutenant, November 1, 1874, *vice* Poland, promoted.

Second Lieutenant Marcus W. Lyon, of the Thirteenth Infantry, to be First Lieutenant, November 1, 1874, *vice* Varney, promoted.

#### EIGHTH REGIMENT OF CAVALRY.

21. Quincy O'M. Gillmore, late Second Lieutenant in the Tenth Cavalry, to be Second Lieutenant, March 19, 1875, *vice* Cox, resigned. (Company "G.")

#### TENTH REGIMENT OF CAVALRY.

20. William H. Tiffany, from at large, to be Second Lieutenant, March 10, 1875, *vice* Harmon, promoted. (Company "—.")

#### THIRD REGIMENT OF INFANTRY.

3. Arthur Williams, of Kentucky, to be Second Lieutenant, October 31, 1874, *vice* Hannay, promoted. (Company "I.")

#### FOURTH REGIMENT OF INFANTRY.

2. A. Burnley Crittenden, of Kentucky, to be Second Lieutenant, October 31, 1874, *vice* Price, promoted. (Company "G.")

#### SEVENTH REGIMENT OF INFANTRY.

17. George S. Young, of West Virginia, to be Second Lieutenant, January 20, 1875, *vice* English, promoted. (Company "—.")

#### EIGHTH REGIMENT OF INFANTRY.

10. Sergeant Nathaniel F. Cunningham, of the General Service, to be Second Lieutenant, January 20, 1875, *vice* Carter, transferred to the Sixth Cavalry. (Company "C.")

#### TENTH REGIMENT OF INFANTRY.

14. James S. Jouett, of Maryland, to be Second Lieutenant, January 20, 1875, *vice* Gotshall, cashiered. (Company "B.")

#### ELEVENTH REGIMENT OF INFANTRY.

9. Christopher H. Gorringer, of Ohio, to be Second Lieutenant, October 31, 1874, *vice* Speer, dismissed. (Company "F.")

## THIRTEENTH REGIMENT OF INFANTRY.

15. Charles W. Mason, of Ohio, to be Second Lieutenant, January 20, 1875, *vice* Lyon, appointed First Lieutenant in the Ordnance Department. (Company "D;" since transferred to the Fourth Infantry.)

## FOURTEENTH REGIMENT OF INFANTRY.

19. Frederick S. Calhoun, of Ohio, to be Second Lieutenant, March 10, 1875, *vice* Briggs, promoted. (Company "—.")

## SEVENTEENTH REGIMENT OF INFANTRY.

12. Hospital Steward James Beman, to be Second Lieutenant, January 20, 1875, *vice* Chance, promoted. (Company "D.")

16. Private Charles St. John Chubb, of the General Service, to be Second Lieutenant, January 20, 1875, *vice* Burns, promoted. (Company "H.")

## TWENTIETH REGIMENT OF INFANTRY.

1. Frank X. Kinzie, of Illinois, to be Second Lieutenant, October 31, 1874, *vice* Rodman, appointed regimental adjutant. (Company "F.")

18. George L. Rousseau, of Kentucky, to be Second Lieutenant, March 10, 1875, *vice* Wood, promoted. (Company "H.")

## TWENTY-THIRD REGIMENT OF INFANTRY.

4. Sergeant-Major Andrew T. Miller, of the Sixth Cavalry, to be Second Lieutenant, October 31, 1874, *vice* Brodrick, promoted. (Company "E;" since deceased )

6. E. DeRussay Nichols, of Kansas, to be Second Lieutenant, October 31, 1874, *vice* Poillon, resigned. (Company "G.")

## TWENTY-FOURTH REGIMENT OF INFANTRY.

5. John I. Kane, of New York, to be Second Lieutenant, October 31, 1874, *vice* Leggett, promoted. (Company "K.")

13. James S. Marsteller, of West Virginia, to be Second Lieutenant, January 20, 1875, *vice* Bullis, promoted. (Company "D.")

## TWENTY-FIFTH REGIMENT OF INFANTRY.

George G. Mullins, of Illinois, to be Chaplain, January 20, 1875, *vice* Barr, resigned.

7. Walter S. Scott, of California, to be Second Lieutenant, October 31, 1874, *vice* Wilson, promoted. (Company "H.")

8. Charles G. Ayres, of New York, to be Second Lieutenant, October 31, 1874, *vice* Sweet, promoted. (Company "B.")

11. Corporal Charles L. Hodges, of the General Service, to be Second Lieutenant, January 20, 1875, *vice* Tear, promoted. (Company "G.")

## RE-APPOINTED.

## ADJUTANT GENERAL'S DEPARTMENT.

*With a view to his being placed on the retired list of the Army, in conformity with the Act of Congress approved March 3, 1875.*

Nathaniel H. McLean, late Major and Assistant Adjutant General, to be Assistant Adjutant General with the rank of Lieutenant Colonel, March 3, 1875, that being the rank he would have attained at the date of the passage of the act had he remained continuously in service.

## FIRST REGIMENT OF ARTILLERY.

*In conformity with Joint Resolution of the Senate and House of Representatives approved March 3, 1875.*

Lowell A. Chamberlin, late First Lieutenant in the First Regiment of Artillery, to be First Lieutenant in the First Artillery, with date of commission and relative rank in the Army from August 28, 1837.

## III.. TRANSFERS.

Major James M. Robertson, from the Second Artillery to the Third Artillery, February 1, 1875, *vice* Howard, deceased.

First Lieutenant William S. Starring, from the Second Artillery to the Ordnance Department, November 1, 1874, *vice* Michaelis, promoted.

First Lieutenant Charles S. Smith, from the Fourth Artillery to the Ordnance Department, November 1, 1874, *vice* Stockton, resigned.

First Lieutenant Stanhope E. Blunt, from the Thirteenth Infantry to the Ordnance Department, November 1, 1874, *vice* Prince, promoted.

Second Lieutenant William H. Carter, from the Eighth Infantry to the Sixth Cavalry, November 28 1874, *vice* Kerr, promoted. (Company "E.")

Second Lieutenant Charles W. Mason, from the Thirteenth Infantry to the Fourth Infantry, February 15, 1875, *vice* Longshaw, resigned. (Company "I.")

## IV.. RETIRED.

*For incapacity resulting from long and faithful service; from wounds or injury received; from disease contracted, or from exposure in the line of duty, in conformity with sections 16 and 17 of the Act of August 3, 1861.*

Colonel Charles R. Woods, Second Infantry, December 15, 1874.

Major John P. Brua, Paymaster, February 8, 1875.

Major Jacob E. Burbank, Paymaster, March 3, 1875.

Captain Benjamin F. Rittenhouse, Fifth Artillery, October 7, 1874.

Captain Herbert A. Hascall, Fifth Artillery, November 10, 1874.

*By direction of the President, in conformity with section 12 of the Act of July 17, 1862.*

Lieutenant Colonel Levi C. Bootes, Twenty-fifth Infantry, October 7, 1874.

Major James R. Mears, Paymaster, March 3, 1875.

*Under authority conferred by an act entitled "An Act for the relief of General Samuel W. Crawford, and to fix the rank and pay of retired officers." Approved March 3, 1875.*

Colonel Samuel W. Crawford, U. S. Army, retired, (late of the Second Infantry,) March 9, 1875, with the rank of Brigadier General, to date from February 19, 1873, and with pay of that grade from March 3, 1875.

*Under authority conferred by an act entitled "An Act for the relief of Major N. H. McLean, late of the Adjutant General's Department, United States Army." Approved March 3, 1875.*

Lieutenant Colonel Nathaniel H. McLean, under his appointment as Lieutenant Colonel and Assistant Adjutant General, (that being the rank to which he would have attained in service at the date of the passage of the act,) to date from March 3, 1875.

## V..CASUALTIES.

### RESIGNED. (11.)

Captain Samuel N. Benjamin, Second Artillery, March 16, 1875, (his regimental commission only.)

Captain Henry A. Du Pont, Fifth Artillery, March 1, 1875.

First Lieutenant René E. DeRussy, Second Artillery, November 16, 1874.

First Lieutenant Alexander W. Hoffman, Tenth Infantry, November 13, 1874.

First Lieutenant Charles P. Eagan, Twelfth Infantry, July 3, 1874, (his regimental commission only.)

Second Lieutenant Quincy O'M. Gillmore, Tenth Cavalry, November 12, 1874. (Since appointed Second Lieutenant, Eighth Cavalry.)

Second Lieutenant Frank P. Reap, Tenth Cavalry, November 18, 1874.

Second Lieutenant Eugene O. Fenchét, Second Artillery, March 15, 1875.

Second Lieutenant Edwin T. Howard, Twelfth Infantry, January 1, 1875.

Second Lieutenant Charles H. Ribbel, Twentieth Infantry, December 31, 1874.

Post Chaplain Charles W. Petherbridge, October 24, 1874.



## COMMISSIONS VACATED BY NEW APPOINTMENT.

By Brigadier General Alexander E. Shiras, Commissary General of Subsistence, his commission as Assistant Commissary General of Subsistence with the rank of Colonel, June 23, 1874, [instead of May 1, 1874, as announced in General Orders No. 77, of July 6, 1874.]

By Major Frank M. Cox, Paymaster, his commission as Captain, Twenty-fifth Infantry, March 3, 1875.

By Major Alfred E. Bates, Paymaster, his commission as Captain, Second Cavalry, March 3, 1875.

By Major John P. Willard, Paymaster, his commission as Captain, Fifteenth Infantry, March 3, 1875.

By First Lieutenant Frank Heath, Ordnance Department, his commission as Second Lieutenant, Third Artillery, November 1, 1874.

By First Lieutenant Daniel M. Taylor, Ordnance Department, his commission as Second Lieutenant, First Artillery, November 1, 1874.

By First Lieutenant David A. Lyle, Ordnance Department, his commission as Second Lieutenant, Second Artillery, November 1, 1874.

By First Lieutenant James Rockwell, jr., Ordnance Department, his commission as Second Lieutenant, First Cavalry, November 1, 1874.

By First Lieutenant William B. Weir, Ordnance Department, his commission as Second Lieutenant, Fifth Artillery, November 1, 1874.

By First Lieutenant James C. Ayres, Ordnance Department, his commission as Second Lieutenant, Third Infantry, November 1, 1874.

By First Lieutenant Marcus W. Lyon, Ordnance Department, his commission as Second Lieutenant, Thirteenth Infantry, November 1, 1874.

## DIED. (22)

Brigadier General Lorenzo Thomas, U. S. Army—retired—at *Washington, D. C.*, March 2, 1875.

Colonel Caleb C. Sibley, U. S. Army—retired—at *Chicago, Ill.*, February 19, 1875.

Lieutenant Colonel Robert O. Tyler, Deputy Quartermaster General, at *Boston, Mass.*, December 1, 1874.

Lieutenant Colonel James P. Roy, Fifteenth Infantry, at *Baltimore, Md.*, October 24, 1874.

Lieutenant Colonel Benjamin S. Roberts, U. S. Army—retired—at *Washington, D. C.*, January 29, 1875.

Major Eugene H. Abadie, Surgeon, at *St. Louis, Mo.*, December 22, 1874.

Major Robert V. W. Howard, Third Artillery, at *Fort Wood, New York Harbor*, February 1, 1875.

Major William Hays, Fifth Artillery, at *Fort Independence, Boston Harbor*, February 7, 1875.

Major Thomas J. Leslie, U. S. Army—retired—at *New York City*, November 25, 1874.

Captain Augustus W. Wiggin, Assistant Surgeon, at *Fort Stevens, Oreg.*, March 7, 1875.

Captain John R. Edie, jr., Ordnance Department, at *Insane Asylum, Washington, D. C.*, October 29, 1874.

Captain William H. Bartholomew, Sixteenth Infantry, at *Little Rock, Ark.*, December 25, 1874.

First Lieutenant Dominick Lynch, jr., Fourth Cavalry, at *Fort Clark, Texas*, February 21, 1875.

First Lieutenant Silas Pepoon, Tenth Cavalry, near *Fort Sill, Indian Territory*, October 16, 1874.

First Lieutenant Jacob H. Counselman, First Artillery, at *Baltimore, Md.*, February 21, 1875.

First Lieutenant Thilo Schultze, Eighteenth Infantry, at *Atlanta, Ga.*, October 5, 1874.

First Lieutenant William Burns, U. S. Army—retired—at *Washington, D. C.*, December 7, 1874.

Second Lieutenant Richard H. L. Alexander, Seventh Cavalry, at *Sacramento, Cal.*, February 9, 1875.

Second Lieutenant Albert V. Amet, Seventh Infantry, at *Fort Shaw, Montana Territory*, December 16, 1874.

Second Lieutenant William R. Hoag, Twenty-first Infantry, at *Fort Walla Walla, Washington Territory*, January 16, 1875.

Second Lieutenant G. Geddes Smith, Twenty-third Infantry, at *Fort D. A. Russell, Wyoming Territory*, February 13, 1875.

Second Lieutenant Andrew T. Miller, Twenty-third Infantry, at *Cheyenne Depot, Wyoming Territory*, March 7, 1875.

#### DROPPED FOR DESERTION. (1.)

*In conformity with section 17 of the Act approved July 15, 1870.*

First Lieutenant Robert Neely, Twenty-fourth Infantry, October 5, 1874.

#### DISMISSED. (1.)

Captain John A. Irwin, Sixth Cavalry, January 27, 1875.

#### CASHIERED. (4.)

Major Virgil S. Eggleston, Paymaster, November 4, 1874.

Captain George W. Dost, Fourteenth Infantry, November 23, 1874.

First Lieutenant John W. Chickering, Sixth Cavalry, January 27, 1875.

Second Lieutenant Samuel K. Thompson, Twenty-fifth Infantry, August 10, 1874.

HONORABLY DISCHARGED.

*Under section 3, Act of July 15, 1870.*

Second Lieutenant Albert F. Bayard, Fourth Cavalry, February 23, 1875, to date from October 29, 1870, [instead of "Resigned" as announced in Official Army Register for January 1, 1871.]

VI..Officers have been arranged in the foregoing order to the companies and batteries to which they have succeeded in the natural course of promotion or appointment, or to which they have been assigned by competent authority.

VII..Acceptance or non-acceptance of appointments, and, in case of acceptance, the *birth-place* of the officer appointed, his *age* and *residence* when appointed, and his *full name*, correctly written, will in all cases be promptly reported to the Adjutant General.

VIII..In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once, *direct to this office*, stating the *cause*, *date*, and *place*.

When an officer away from his command dies in hospital or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army medical officer, the report will be made by any officer having cognizance of the fact.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 48. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, April 6, 1875.*

The military cemetery at Santa Fé, New Mexico, is announced as a "National Cemetery" of the *fourth class*, in addition to those named in General Orders No. 51, of 1872, and Nos. 3 and 53, of 1874, from this Office.

BY ORDER OF THE SECRETARY OF WAR: .

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

1. The first part of the document is a list of names and addresses of the members of the committee.

GENERAL ORDERS }

No. 49. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, April 8, 1875.*

The Quartermaster's Department is authorized to transport to the Medical Museum at Washington such objects as may be turned over to its officers for that purpose at any military post or station by the officers of the Medical Department.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 50. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, April 8, 1875.*

General Orders No. 13, War Department, Adjutant General's Office, series of 1874, is hereby rescinded, and the following is substituted therefor :

I.. One ration a day may be issued to each civilian employed with the Army when the rate of pay does not exceed sixty dollars per month, and when the circumstances of his service make it necessary and the terms of his engagement provide for it. These rations will be issued on ration-returns similar to those used for troops, signed by the officer in charge of the men, and ordered by the commanding officer of the post or station. Civilians employed with the Army at wages greater than sixty dollars per month may be allowed, when the necessities of the case require it, to purchase in limited quantities for cash, at cost prices, articles of subsistence stores composing the ration

II.. Under the act approved March 3, 1875, published in General Orders No. 28, current series, the proceeds of all sales of subsistence supplies are exempt from being covered into the Treasury, but should be taken up on the officers' account-current as being immediately available for the purchase of fresh supplies, if needed, for subsistence of the Army.

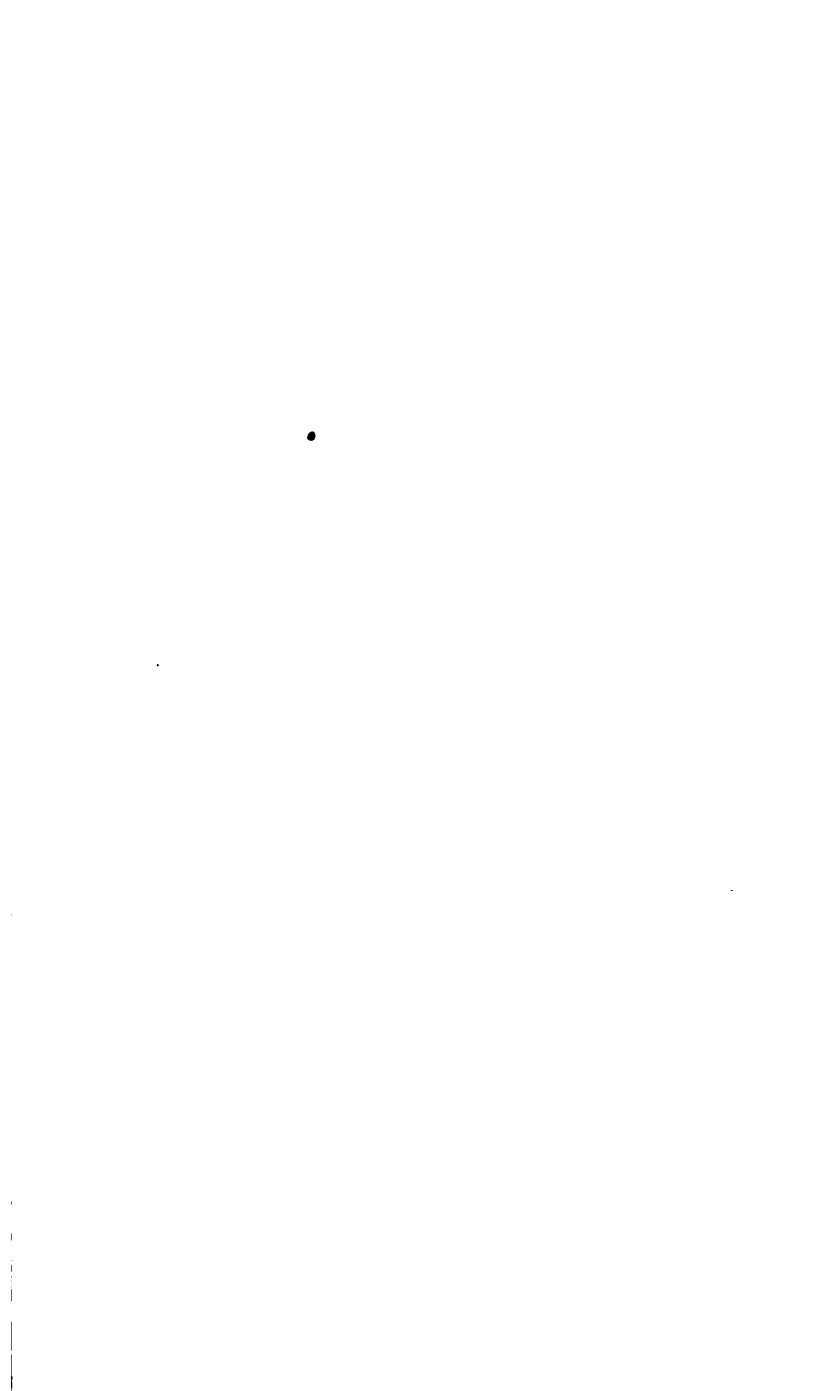
BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }

No. 51.

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE.

Washington, April 14, 1875.

The Secretary of War with deep regret announces the death of Brigadier General ALEXANDER E. SHIRAS, Commissary General of Subsistence, Brevet Major General, U. S. Army, which occurred at his residence in this city early this morning.

General SHIRAS was a graduate of the Military Academy, of the Class of 1833. His clear intellect and close attention to whatever duty was assigned to him were the cause of his being principally employed in the Subsistence Department, where he ever displayed great business capacity and stern integrity. His early training in that Department was under the veteran Gibson, with whom he long maintained the closest official and personal relations, and many of whose genial and popular traits of character he loved to reproduce.

He more than once refused a proffered promotion, preferring as a subordinate to lend his best ability to the successful administration of the affairs of his Department. At no time was that ability more conspicuous, or more useful, than when it was most needed—during the time of war.

By due course of succession he became Chief of the Subsistence Department only a brief twelvemonth ago.

The many friends of General SHIRAS throughout all branches of the service will long cherish the memory of his generous, affable, and courteous manners, indicative as they were of true kindness of heart.

The officers of the Subsistence Department will wear the usual badge of mourning for six months.

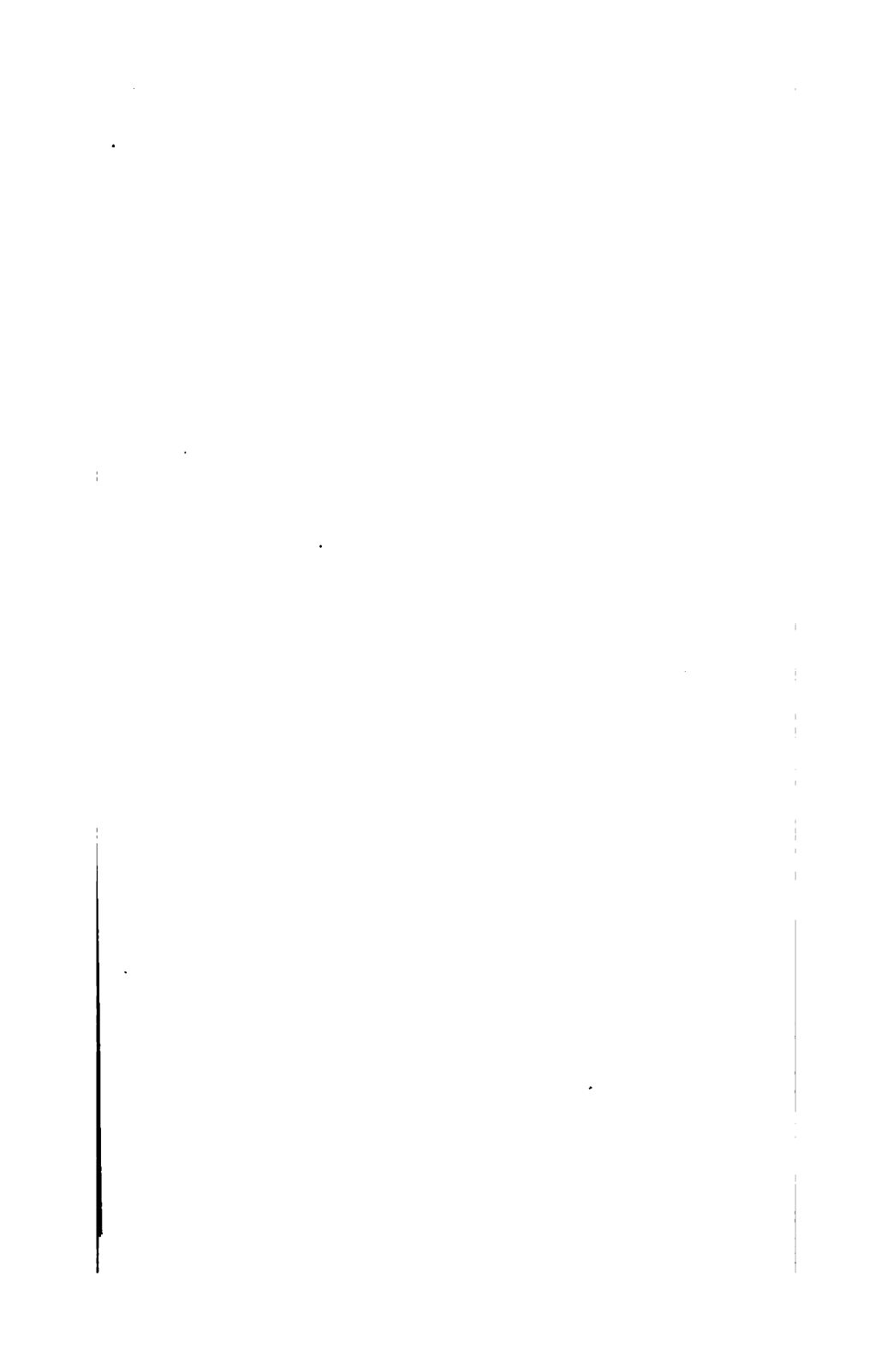
BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 52. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, April 16, 1875.*

Hereafter, officers of the Pay Department, in changes of stations, are authorized to take their clerks with them at the expense of the United States, and General Orders No. 22, February 23, 1870, from this office, is modified accordingly.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
No. 53. } ADJUTANT GENERAL'S OFFICE,  
Washington, April 19, 1875.

Hereafter, the trowel bayonet will habitually be worn in the scabbard, excepting when it is required to be fixed for use as a weapon—or when specifically directed to be fixed, in Upton's Infantry Tactics; but this bayonet will under no circumstances be use for intrenching purposes when fixed upon the rifle.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 54.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, April 20, 1875.

The following extracts from Acts of Congress and Circulars relative to postage are published for the information and guidance of all concerned:

*Transient newspapers, merchandise, &c., to be one cent an ounce instead of one cent for two ounces.*

\* \* \* That section 8 of the act approved June 23, 1874, "making appropriations for the service of the Post Office Department for the year ending June 30, 1875, and for other purposes," be and the same is hereby amended as follows: Insert the word "ounce" instead of the words "two ounces." \* \* \*

*Approved March 3, 1875.*

AN ACT making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1875, and for other purposes.

SEC. 8. That all mailable matter of the third class referred to in section 133 of the act entitled "An Act to revise, consolidate, and amend the statutes relating to the Post Office Department," approved June 8, 1872, may weigh not exceeding four pounds for each package thereof, and postage shall be charged thereon at the rate of one cent for each two ounces or fraction thereof; but nothing herein contained shall be held to change or amend section one hundred and thirty-four of said act."

*Approved June 23, 1874.*

AN ACT to revise, consolidate, and amend the statutes relating to the Post Office Department.

SEC. 133. That mailable matter of the third class shall embrace all pamphlets, occasional publications, transient newspapers, magazines, handbills, posters, unsealed circulars, prospectuses, books, book-manuscripts, proof-sheets, corrected proof-sheets, maps, prints, engravings, blanks, flexible patterns, samples of merchandise not exceeding twelve ounces in weight, sample cards, phonographic paper, letter envelopes, postal envelopes and wrappers, cards, plain and ornamental paper, photographic representations of different types, seeds, cuttings, bulbs, roots, scions, and all other matter which may be declared mailable by law, and all other articles not above the weight prescribed by law, which are not, from their form or nature, liable to destroy, deface, or otherwise injure the contents of the mail-bag or the person of any one engaged in the postal service. All liquids, poisons, glass, explosive materials, and obscene books shall be excluded from the mails. All matter of the third class, excepting books and other printed matter, book-manuscripts, proof-sheets, and corrected proof-sheets, shall not exceed twelve ounces in weight, and all matter of the third class shall be subject to examination and to rates of postage as hereinafter provided. Samples of metals, ores, and mineralogical specimens shall not exceed twelve ounces in weight, and shall be subject to examination and rates as hereinafter provided.



SEC. 134. That no package weighing more than four pounds shall be received for conveyance by mail, except books published or circulated by order of Congress.

*Approved June 8, 1872.*

[Official mail matter is not limited as to weight.]

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*Postage on Miscellaneous of Third Class Matter.*

POST OFFICE DEPARTMENT,  
Appointment Office, Washington, D. C., March 6, 1873.

To Postmaster .....

SIR:—You are hereby instructed that, under the provisions of the act approved March 3, 1873, entitled "An Act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1876, and for other purposes," the postage to be hereafter charged on all mailable matter of the 3d class referred to in section 133 of the act entitled "An Act to revise, consolidate, and amend the statutes relating to the Post Office Department," approved June 8, 1872, shall be at the rate of one cent for each ounce or fraction thereof, instead of one cent for each two ounces or fraction thereof as heretofore provided by law.

(Signed)

J. W. MARSHALL,  
1st Asst. P. M. General.

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*Postage on Bound and Unbound Public Documents.*

AN ACT making appropriations for the service of the Post Office Department for the fiscal year ending June 30, 1875, and for other purposes.

\* \* \* \* \*

SEC. 13. That hereafter the postage on public documents mailed by any member of Congress, the President, or head of any Executive Department, shall be ten cents for each bound volume, and on unbound documents the same rates as that on newspapers mailed from a known office of publication to regular subscribers; and the words "Public Document" written or printed thereon, or on the wrapper thereof, and certified by the signature of any member of Congress, or by that of the President, or head of any Executive Department, shall be deemed a sufficient certificate that the same is a public document; and the term "public document" is hereby defined to be all publications printed by order of Congress, or either House thereof: *Provided*, That the postage on each copy of the daily Congressional Record mailed from the city of Washington as transient matter shall be one cent.

\* \* \* \* \*

*Approved June 23, 1874.*

As the law now stands the postage on mail matter of the *third* class is one cent for each ounce or fraction thereof.

On "Bound Public Documents" the postage is ten cents for each volume, and on "Unbound Public Documents" two cents per pound or fraction thereof. Public Documents are defined to be "all publications printed by order of Congress, or either House thereof."

It will be observed that Bound and Unbound Public Documents can be mailed at the rates stated only by members of Congress, the President, and from the Executive Departments located in Washington.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

1

GENERAL ORDERS }  
No. 55. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, April 29, 1875.*

I.. The bad condition of much of the public property condemned in the hands of troops as unserviceable, and recommended by Inspectors General to be turned in as no longer fit for use, leads to the belief that a careful supervision is not always exercised by officers responsible over ordnance and other stores intrusted to enlisted men as their personal outfit, to prevent reckless damage in the attempt to improve them.

II...Soldiers will not be permitted to take their arms or pieces except in the presence of an officer, nor under any circumstances to deface the metallic or wooden parts by attempts to beautify or change the finish of the exterior. The equipments furnished each man must be fitted to him under the direction of an officer, and after fitting he must be allowed to make no change by cutting straps or punching holes.

III...Public property must not be reported as unserviceable and requiring the action of an Inspector merely because unsightly, when it is strong and serviceable. The limited appropriations will not admit of a refit until arms and equipments are worn out under proper usage.

IV...When property is condemned and directed to be turned in to an arsenal or depot care must be used in packing, to prevent it from becoming more unserviceable by injury in transportation.

V...Inspectors General, when called upon to inspect unserviceable property will hereafter note whether due care has been exercised by officers concerned to protect the interests of the Government, and report the officer responsible for any loss accruing to the United States if such loss has not been previously charged against the soldier.

VI...The authority granted by General Orders Nos. 9 and 103, of 1874, from this office, for the sale of arms and ammunition to the persons therein designated was intended, and will only be construed, as authorizing the sale of arms and ammunition of calibre .50 for the special purposes therein stated, and no others.

The calibre .45 rifle, carbine, and ammunition will in no case be sold.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 56. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, April 30, 1875.*

The Quartermaster's Department will provide, in all permanent barracks, a box or locker for each soldier in which to store his full dress uniform and extra clothing.

The box or locker will be of the following dimensions :

Length, 24 inches, }  
Breadth, 12 inches, } In the clear.  
Height, 10 inches, }

To be constructed of pine three-fourths of an inch thick, with iron hinges ten inches in length and one inch and a half in width, together with suitable staple and hasp.

Each man to provide his own padlock. The boxes will be permanent fixtures of the barracks.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 57. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, May 10, 1875.*

The following extracts from the Revised Statutes, and the following instructions relative to same, are published for the information and government of officers of the Quartermaster's Department:

EXTRACTS.

\* \* \* \* \*

1. SEC. 3678. All sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others.

2. SEC. 3679. No Department of the Government shall expend, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year, or involve the Government in any contract for the future payment of money in excess of such appropriations.

3. SEC. 3709. All purchases and contracts for supplies or services, in any of the Departments of the Government, except for personal services, shall be made by advertising a sufficient time previously for proposals respecting the same, when the public exigencies do not require the immediate delivery of the articles, or performance of the service. When immediate delivery or performance is required by the public exigency, the articles or service required may be procured by open purchase or contract, at the places and in the manner in which such articles are usually bought and sold, or such services engaged, between individuals.

4. SEC. 3710. Whenever proposals for supplies have been solicited, the parties responding to such solicitation shall be duly notified of the time and place of opening the bids, and be permitted to be present either in person or by attorney, and a record of each bid shall then and there be made.

5. SEC. 3711. It shall not be lawful for any officer or person in the civil, military, or naval service of the United States in the District of Columbia to purchase anthracite or bituminous coal or wood for the



public service except on condition that the same shall, before delivery, be inspected and weighed or measured by some competent person to be appointed by the head of the Department or chief of the branch of the service for which the purchase is made. The person so appointed shall, before entering upon the duty of inspector, weigher, and measurer, and to the satisfaction of the appointing officer, give bond, with not less than two sureties, in the penal sum of five thousand dollars, and with condition that each ton of coal weighed by him shall consist of two thousand two hundred and forty pounds, and that each cord of wood to be so measured shall be of the standard measure of one hundred and twenty-eight cubic feet. The inspector, weigher, and measurer so appointed shall be entitled to receive from the venders of fuel weighed and measured by him twenty cents for each ton of coal weighed, and nine cents for each cord of wood measured by him. Each load or parcel of wood or coal weighed and measured by him shall be accompanied by his certificate of the number of tons or pounds of coal and the number of cords or parts of cords of wood in each load or parcel.

6. SEC. 3713. It shall not be lawful for any accounting officer to pass or allow to the credit of any disbursing officer in the District of Columbia any money paid by him for purchase of anthracite or bituminous coal or for wood, unless the voucher therefor is accompanied by a certificate of the proper inspector, weigher, and measurer that the quantity paid for has been determined by such officer.

7. SEC. 3714. All purchases and contracts for supplies or services for the military and naval service shall be made by or under the direction of the chief officers of the Departments of War and of the Navy, respectively.

8. SEC. 3716. The Quartermaster's Department of the Army, in obtaining supplies for the military service, shall state in all advertisements for bids for contracts that a preference shall be given to articles of domestic production and manufacture, conditions of price and quality being equal, and that such preference shall be given to articles of American production and manufacture produced on the Pacific coast, to the extent of the consumption required by the public service there. In advertising for Army supplies the Quartermaster's Department shall require all articles which are to be used in the States and Territories of the Pacific coast to be delivered and inspected at points designated in those States and Territories; and the advertisements for such supplies shall be published in newspapers of the cities of San Francisco, in California, and Portland, in Oregon.

9. SEC. 3729. The Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury may enter into contract, in open market, for bunting of American manufacture, as their respective services require, for a period not exceeding one year, and at a price not exceeding that at which an article of equal quality can be imported.

10. SEC. 3731. Every person who shall furnish supplies of any kind to the Army or Navy shall be required to mark and distinguish the same with the name of the contractor furnishing such supplies, in such manner as the Secretary of War and the Secretary of the Navy may, respectively, direct; and no supplies of any kind shall be received unless so marked and distinguished.

11. SEC. 3732. No contract or purchase on behalf of the United States shall be made, unless the same is authorized by law or is under an appropriation adequate to its fulfillment, except in the War and Navy Departments, for clothing, subsistence, forage, fuel, quarters, or transportation, which, however, shall not exceed the necessities of the current year.

12. SEC. 3735. It shall not be lawful for any of the Executive Departments to make contracts for stationery or other supplies for a longer term than one year from the time the contract is made.

13. SEC. 3736. No land shall be purchased on account of the United States, except under a law authorizing such purchase.

14. SEC. 3737. No contract or order, or any interest therein, shall be transferred by the party to whom such contract or order is given to any other party, and any such transfer shall cause the annulment of the contract or order transferred, so far as the United States are concerned. All rights of action, however, for any breach of such contract by the contracting parties, are reserved to the United States.

15. SEC. 3741. In every such contract or agreement to be made or entered into, or accepted by or on behalf of the United States, there shall be inserted an express condition that no member of Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon.

16. SEC. 3742. Every officer who, on behalf of the United States, directly or indirectly makes or enters into any contract, bargain, or agreement in writing or otherwise, other than such as are hereinbefore excepted, with any member of Congress, shall be deemed guilty of a misdemeanor and shall be fined three thousand dollars.

17. SEC. 3743. All contracts to be made, by virtue of any law, and requiring the advance of money, or in any manner connected with the settlement of public accounts, shall be deposited in the office of the First

Comptroller of the Treasury of the United States, within ninety days after their respective dates.

18. SEC. 3744. It shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior to cause and require every contract made by them severally on behalf of the Government, or by their officers under them appointed to make such contracts, to be reduced to writing, and signed by the contracting parties, with their names at the end thereof; a copy of which shall be filed by the officer making and signing the contract in the returns office of the Department of the Interior, as soon after the contract is made as possible, and within thirty days, together with all bids, offers, and proposals to him made by persons to obtain the same, and with a copy of any advertisement he may have published inviting bids, offers, or proposals for the same. All the copies and papers in relation to each contract shall be attached together by a ribbon and seal, and marked by numbers in regular order, according to the number of papers composing the whole return.

19. SEC. 3745. It shall be the further duty of the officer, before making his return, according to the preceding section, to affix to the same his affidavit in the following form, sworn to before some magistrate having authority to administer oaths: "I do solemnly swear (or affirm) that the copy of contract hereto annexed is an exact copy of a contract made by me personally with ————; that I made the same fairly, without any benefit or advantage to myself, or allowing any such benefit or advantage corruptly to the said ————, or any other person; and that the papers accompanying include all those relating to the said contract, as required by the statute in such case made and provided."

20. SEC. 3746. Every officer who makes any contract, and fails or neglects to make return of the same, according to the provisions of the two preceding sections, unless from unavoidable accident or causes not within his control, shall be deemed guilty of a misdemeanor, and shall be fined not less than one hundred dollars nor more than five hundred, and imprisoned not more than six months.

21. SEC. 3747. It shall be the duty of the Secretary of War, of the Secretary of the Navy, and of the Secretary of the Interior to furnish every officer appointed by them with authority to make contracts on behalf of the Government with a printed letter of instructions, setting forth the duties of such officer, under the two preceding sections, and also to furnish therewith forms, printed in blank, of contracts to be made, and the affidavit of returns required to be affixed thereto, so that all the instruments may be as nearly uniform as possible.

## INSTRUCTIONS.

22. SEC. 3709. General Orders No. 26, War Department, A. G. O., March 28, 1874, publishes "Revised Regulations of the War Department relative to advertising and job printing," and will continue to govern. Particular attention is invited to paragraph 4 of said regulations.

Whenever the public exigencies will not permit advertising and contracting for supplies or services, other than personal services or services rendered by common carriers, it must be so certified upon the vouchers for payment for such supplies or services; and vouchers for the supplies must be accompanied by a copy of the order authorizing the purchase, or be approved by the proper commanding officer; the services so certified to be reported on Form No. 1, Q. M. Department, to be approved by the proper commanding officer.

The following examples, illustrating the brief forms of advertisements to be used, are given for the information and instruction of officers:

(Form of advertisement for various supplies needed at various posts.)

## PROPOSALS FOR MILITARY SUPPLIES.

HEADQUARTERS DEPARTMENT OF —,   
 OFFICE OF CHIEF QUARTERMASTER,   
 \_\_\_\_\_, 18 .

Sealed proposals, in triplicate, subject to the usual conditions, will be received at this office, or at the offices of the quartermasters at the following named posts, until 12 o'clock noon on —, 18—, at which time and places they will be opened in presence of bidders, for furnishing and delivery of military supplies during the — commencing —, 18—, and ending —, 18—, as follows: [Here state articles, but not quantities,] or such of said supplies as may be required, at — [here state posts or places.]

Proposals for either class of the stores mentioned, or for quantities less than the whole required, will be received.

The Government reserves the right to reject any or all proposals.

A preference will be given to articles of domestic production.

Blank proposals, and printed circulars stating the kind and estimated quantities required at each post, and giving full instructions as to the manner of bidding, conditions to be observed by bidders, and terms of

contract and payment, will be furnished on application to this office or to the quartermasters at the various posts named.

Envelopes containing proposals should be marked "Proposals for — at —," and addressed to the undersigned, or to the respective post quartermasters.

\_\_\_\_\_,  
— Quartermaster —, U. S. Army.

(Form of advertisement for delivery at one post of a certain article or articles.)

PROPOSALS FOR —.

HEADQUARTERS DEPARTMENT OF —,

OFFICE OF CHIEF QUARTERMASTER,

\_\_\_\_\_, 18 .

Sealed proposals, in triplicate, subject to the usual conditions, will be received at this office, or at the office of the quartermaster at \_\_\_\_\_, until 12 o'clock noon on \_\_\_\_\_, 18—, at which time and places they will be opened in presence of bidders, for furnishing and delivery at \_\_\_\_\_ [here state article and quantity.]

Proposals for a less quantity will be received.

The Government reserves the right to reject any or all proposals.

A preference will be given to articles of domestic production.

Blank proposals, and full information as to the manner of bidding, conditions to be observed by bidders, and terms of contract and payment, will be furnished on application to this office or to the quartermaster at the post.

Envelopes containing proposals should be marked "Proposals for — at —," and addressed to the undersigned, or to the quartermaster at the post.

\_\_\_\_\_,  
— Quartermaster —, U. S. Army.

NOTE.—If a number of articles are needed involving lengthy publication in description of the articles and specification of quantities, then follow general plan indicated in previous form of having circulars printed.

(Form of advertisement for proposals for Army transportation.)

PROPOSALS FOR ARMY TRANSPORTATION.

HEADQUARTERS DEPARTMENT OF —,  
OFFICE OF CHIEF QUARTERMASTER,

—, 18 .

Sealed proposals, in triplicate, subject to the usual conditions, will be received at this office until 12 o'clock noon on —, 18—, at which time and place they will be opened in presence of bidders, for the transportation of military supplies on the following described routes in the Department of —, during the — commencing — and ending — [here state the kind of transportation required, whether rail, wagon, or water, and give a brief description of the route.]

Proposals for transportation on any or all of the routes above named will be received.

The Government reserves the right to reject any or all proposals.

Blank proposals, form of contract, and printed circulars stating the estimated quantities of supplies to be transported, and giving full information as to the manner of bidding, conditions to be observed by bidders, and terms of contract and payment, will be furnished on application to this office or to the offices of — [here state places at which such information can be obtained.]

Envelopes containing proposals should be marked "Proposals for transportation on route —," and addressed to the undersigned.

— Quartermaster —, U. S. Army.

23. SEC. 3714. General Orders No. 97, Headquarters of the Army, A. G. O., November 12, 1867, relative to "Purchases and contracts at military posts," as modified by General Orders No. 8, of February 5, 1868, from same source, and General Orders No. 57, War Department, A. G. O., August 21, 1871, will continue to govern. Attention is also invited to the requirements of the circular from Headquarters of the Army of June 11, 1869, which, in substance, is as follows: By direction of the Secretary of War no bonds except those formally sealed with wax, "or other adhesive substance," will hereafter be accepted from contractors or their sureties; and this, notwithstanding that the law of the State

where the instrument is executed may dispense with such seals. These requirements must in all cases be complied with.

Affidavits taken before a notary public will have the certificate of Secretary of State, or of a clerk of a court of record, as to the official character of the notary.

When a contract or bond is executed by a firm each member or partner of the firm should sign for himself, in his individual capacity.

When more than one contract is made on one set of proposals, copies of all proposals should accompany one of the contracts forwarded to the proper Bureau of the War Department, and a reference to the specific contract with which said proposals are filed duly noted on each of the other contracts when so forwarded.

24. SEC. 3716. All advertisements for supplies for the Quartermaster's Department will contain these words: "A preference will be given to articles of domestic production."

25. SEC. 3731. The law enacts that "every person who shall furnish supplies of any kind to the Army \* \* \* shall be required to mark and distinguish the same with the name of the contractor furnishing such supplies, in such manner as the Secretary of War \* \* \* may direct; and no supplies of any kind shall be received unless so marked and distinguished."

Packages of supplies delivered should be marked with the name of the contractor.

The following is a list of articles of clothing, camp and garrison equipage, that should be separately marked by contractors:

Helmets, uniform dress caps, campaign hats, forage caps, stockings, Berlin gloves, woolen mittens, boots, shoes, buffalo overshoes, Arctic overshoes, woolen blankets, ponchos, rubber blankets, iron bunks, mosquito-bars, iron pots, camp-kettles, mess-pans, axes, hatchets, spades, shovels, pickaxes; drums, trumpets, bugles, fifes, books, tents, tent-poles, flags, colors—national and regimental—standards, guidons, color belts and slings, camp colors, scrubbing brushes, and each roll of cloth or flannel.

Packages of the following to be marked:

Axe, hatchet, and pickax handles, tent-pins, stencil-plates, halliards, buttons, thread, hat and cap trimmings, letters, numbers, wrapping paper, petroleum paper, twine, baling rope, lacing cord, needles, hooks and eyes, buckles, cord, cotton wadding, black Silesia, bleached muslin, unbleached muslin, cotton drilling, Russia sheeting, black alpaca, brown linen, buckram, canvas padding, colored jeans, white jeans, white serge, black Italian cloth.

Manufactured by employ  s of the Department, and, therefore, not to be marked:

Great coats, coats, blouses, trousers, shirts, drawers, overalls, stable frocks, bedsacks.

Articles of quartermaster's stores to be marked separately will be such as from their size or character it is advantageous to so distinguish. It being impracticable to designate a complete list of such articles to be marked separately or in packages, the discretion and judgment of the purchasing officer must be exercised, having in view the requirements of the law.

The following articles will always be marked separately:

Wagons, ambulances, carts, portable forges and bellows, machines, wagons covers, paulins; wagon. cart, and ambulance, timbers, except spokes, felloes, and other small parts; barrels, casks, and kegs, plows, stoves, chairs, desks.

All packages of supplies delivered should be marked with the name of the contractor.

26. SECS. 3679, 3732, and 3735. Contracts, when practicable, should be made to begin and run concurrently with the fiscal year.

No contract extending beyond the current fiscal year is legal, except toward the close of a fiscal year when appropriation for the next fiscal year has already been granted by Congress, or unless a clause is inserted in the contract as follows: "Provided, however, that this contract shall cease and determine on the 30th of June following, unless extended by the United States under appropriations which may be made for the service of the fiscal year commencing July 1st following; and further, that it shall not be so construed as to involve the Government in any obligation for the future payment of money in excess of the appropriations granted by Congress for its purposes." In these cases a contract may extend into the second fiscal year; but the whole period cannot be greater than twelve (12) months.

If, as in contracts of lease, it be important to secure a longer tenure than one year, the contract should be made for the year only for which appropriation has been made before execution of same, and it should contain a proviso that it shall be renewable from year to year, at pleasure of the United States, provided appropriations applicable to its fulfillment are granted by Congress.

27. SEC. 3747. The following are outlines of forms for proposals, contracts, and bonds, and contain, so far as the contracts and bonds are concerned, the essentials common to all:



(Form for Proposals.)

PROPOSALS FOR \_\_\_\_\_

To \_\_\_\_\_, \_\_\_\_\_ 18 .

SIR: Agreeably to the advertisement inviting proposals for \_\_\_\_\_, dated \_\_\_\_\_, a copy of which is hereunto annexed, and subject to the conditions thereof, and in accordance with the requirements of (your circular of \_\_\_\_\_ date, or of your letter of \_\_\_\_\_ date, as the case may be,) the undersigned hereby propose to furnish \_\_\_\_\_

and pledge \_\_\_\_\_ to enter into a written contract with the United States, with good and approved security, within \_\_\_\_\_ days after being notified that this bid has been accepted.

Respectfully, &amp;c., \_\_\_\_\_

Post office address \_\_\_\_\_

(Guaranty to be put on Proposal.)

## GUARANTY.

We, the undersigned, residents of \_\_\_\_\_, in the county of \_\_\_\_\_ and State of \_\_\_\_\_, hereby jointly and severally covenant with the United States, and guarantee, in case the foregoing bid of \_\_\_\_\_ be accepted, that he will, within \_\_\_\_\_ days after the acceptance of said bid, execute a contract for the same with good and sufficient sureties in a sum equal to \_\_\_\_\_ of the amount of the contract, to perform the work, or furnish the articles proposed, in conformity to the terms of the advertisement dated the \_\_\_\_\_ day of \_\_\_\_\_, 18—, under which the bid was made; and in case the said \_\_\_\_\_ shall fail to enter into a contract as aforesaid, we guarantee to make good the difference between the offer by the said \_\_\_\_\_ and the next lowest responsible bidder, or the person to whom the contract may be awarded.

Given under our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_ 18—.

In presence of—

\_\_\_\_\_, \_\_\_\_\_ [SEAL.]  
 \_\_\_\_\_, \_\_\_\_\_ [SEAL.]

I hereby certify that, to the best of my knowledge and belief, the above-named guarantors are good and sufficient as sureties for the purpose for which they offer to be sureties.

Dated \_\_\_\_\_, \_\_\_\_\_

(Instructions to be put on Proposal.)

GENERAL INSTRUCTIONS FOR BIDDERS.

1. All bids should be made in triplicate, upon printed forms to be obtained at this office.
2. The guaranty attached to each bid must be signed by two responsible guarantors, to be certified to as good and sufficient guarantors by a U. S. District Attorney, Collector of Customs, or any other officer under the United States Government, or responsible person known to this office.
3. When firms bid, the individual names of the members should be written out, and should be signed in full, giving the christian names; but the signers may, if they choose, describe themselves in addition as doing business under a given name and style as a firm.
4. All signatures to bonds and contracts must have affixed to them seals of wax or wafer.
5. The place of residence of every bidder, with county, and State or Territory, must be given after his signature, which must be written in full.
6. All prices must be written as well as expressed in figures.
7. The right is reserved on the part of the Government to reject any or all bids; also to disregard the bid of any *failing bidder or contractor* known as such to the Quartermaster's Department.
8. The bidder must furnish satisfactory evidence of his ability to furnish the materials or perform the work for which he bids.
9. Transfers of contracts, or of interest in contracts, are prohibited by law.
10. In submitting proposals, the sealed envelope should be so indorsed as to indicate, before being opened, the particular purpose for which the bid is made.

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(Form for Contracts.)

CONTRACT FOR ———.

This agreement, made and entered into this ——— day of ———, one thousand eight hundred and ———, by and between ———, Quartermaster ———, United States Army, [here say Chief Quartermaster, Department of ———, or Depot or Post Quartermaster, as the case may be,] for and on behalf of the United States of America, party of the first part, and ———, of ———, party of the second part, for himself, his heirs, executors, administrators, and assigns.

Witnesseth, that the said parties have covenanted and agreed, and by these presents do covenant and agree, to and with each other, as follows :

ARTICLE 1. That the said ——— [here give the name of the contractor, and state what he agrees to do.] ———

—————

—————

—————

ARTICLE . That for and in consideration of the faithful performance of the stipulations of this agreement the party of the second part shall be paid, at the office of the ———, at ———, as follows : ——— [here state terms of payment.]

ARTICLE . That in case of failure of the said party or parties of the second part to comply fully with the stipulations of this contract according to the true intent and meaning thereof, then the party of the first part shall have the power to ——— [here state the powers of the party of the first part in case of non-compliance by the contractor, and the penalty to be enforced against him.]

ARTICLE . That it is expressly understood by the part— of the second part that, in conformity to the requirements of section 3737 of the Revised Statutes, neither this contract nor any interest therein shall be transferred to any other party or parties, and that any such transfer shall cause the annulment of the contract so far as the United States are concerned ; all rights of action, however, for any breach of this contract by the contracting parties being reserved to the United States.

ARTICLE . That it is expressly agreed and stipulated between the parties to this contract that, upon mutual agreement, it may be changed, altered, modified, or abrogated, in whole or in part ; but no such change, alteration, modification, or abrogation shall entitle the said ——— to increased rates of compensation over the rates herein specified.

ARTICLE . That it is further expressly agreed and understood that no member of Congress, officer, agent, or employé of the Government shall be admitted to any share or part in this contract or agreement, or derive any benefit to arise therefrom.

ARTICLE . That this agreement is made subject to the approval of the ———.

In witness whereof, the undersigned have hereunto subscribed their names, and affixed their seals, the day and date first above written.

(Witness.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_, [SEAL.]

\_\_\_\_\_

\_\_\_\_\_, [SEAL.]

\_\_\_\_\_

Approved.

\_\_\_\_\_  
\_\_\_\_\_

NOTE.—The copy of the contract sent to the returns office must have affixed thereto the affidavit of the officer making the contract, required by section 3745 of the Revised Statutes hereinbefore quoted.

(Form for Bonds.)

#### BOND.

Know all men by these presents, that we, \_\_\_\_\_, of \_\_\_\_\_, county of \_\_\_\_\_ and State of \_\_\_\_\_, and \_\_\_\_\_, of \_\_\_\_\_, county of \_\_\_\_\_ and State of \_\_\_\_\_, and \_\_\_\_\_, of \_\_\_\_\_, county of \_\_\_\_\_ and State of \_\_\_\_\_, are held and firmly bound unto the United States of America in the sum of \_\_\_\_\_ dollars, lawful money of the United States, for which payment, well and truly to be made, we bind ourselves and each of us, our and each of our heirs, executors, administrators, and assigns, for and in the whole, jointly and severally, firmly by these presents.

Scaled with our seals, attested by our signatures, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, in the year of our Lord one thousand eight hundred and \_\_\_\_\_.

The nature of this obligation is such that if the said \_\_\_\_\_, his heirs, executors, administrators, and assigns, or any of them, shall, and do in all things well and truly observe, perform, fulfill, accomplish, and keep, all and singular, the covenants, conditions, and agreements, whatsoever, which, on the part of the said \_\_\_\_\_, his heirs, executors, administrators, and assigns are, or ought to be, observed, performed, fulfilled, accomplished, and kept, comprised or mentioned in certain articles of agreement bearing date the \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight

hundred and ———, between the said ——— ———, Quartermaster ———, United States Army, and the said ——— ———, concerning the furnishing ——— according to the true intent and meaning of said articles of agreement, then the above obligation to be void; otherwise, to remain in full force and virtue.

Signed, sealed, and delivered in presence of—

_____.	_____.	[SEAL.]
_____.	_____.	
	_____.	[SEAL.]
	_____.	

— OF ———, }  
COUNTY OF ———, } ss:

On this — day of ———, A. D. 18—, before me, the undersigned, a ——— in and for the county and ——— aforesaid, personally appeared ——— and ——— and ———, who, being by me severally sworn, according to law, each upon his oath says that he owns and possesses property not exempt by law from execution, over and above all his debts and liabilities, and free from all incumbrances, of the value of the sum set opposite his name in connection herewith, viz:  
\_\_\_\_\_, \_\_\_\_\_.

Subscribed and sworn to before me at ———, this — day of ———, 18—.

[SEAL.]

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }

NO. 58. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, May 11, 1875.*

Whenever canteens become unserviceable from the wearing of the covers, the breaking of straps, or loss of corks, they will not be presented to the Inspector for condemnation, but will be repaired by the troops. Timely requisitions should be made upon the Ordnance Department for extra covers, corks, and straps, &c.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 59.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, May 18, 1875.*

The allowance of brooms and scrubbing-brushes prescribed in General Orders No. 120, War Department, Adjutant General's Office, October 14, 1874, will be issued to company commanders, monthly, on special requisitions, Form 44, of the Quartermaster's Department, approved by the post commander. The number of men for whom the articles are required will be stated on the requisition. Issues will in no case be made in excess of the allowance, and company commanders will not be required to account on the Return of Clothing, Camp and Garrison Equipage, for the brooms and brushes thus issued to them.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 60. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, May 20, 1875.*

When troops are ordered by competent military authority to assist any Department of the Government in the execution and enforcement of the laws, all transportation, which shall be decided by said military authority to be necessary for such troops only and their supplies in the execution of the duty to which they may be assigned, shall be provided and paid for by the Quartermaster's Department.

Officials of other Departments of the Government are not authorized to provide transportation for troops and military supplies at the expense of the War Department, and the appropriation for transportation of the Army shall not be used for the transportation of officers or employes of other Departments without authority obtained from the War Department.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 61. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 21, 1875.

By direction of the President, under Section 2062, and subject to the limitation in Section 1224, of the Revised Statutes, the Commanding Officer of the United States troops in Alaska, stationed at Sitka, is appointed to execute the duties of Indian Agent, in controlling the intercourse with the Indians in Alaska, including the Aleutian Islands, and to act *ex-officio* as Indian Agent over the tribes in said Territory.

The following are the sections of the Revised Statutes referred to :

SEC. 1224. Officers of the Army on the active list shall not be separated from their regiments or corps for employment on civil works of internal improvement, nor be allowed to engage in the service of incorporated companies, or be employed as acting paymaster, or disbursing agent of the Indian Department, if such extra employment require that he be separated from his regiment or company, or otherwise interfere with the performance of the military duties proper.

SEC. 2062. The President may require any military officer of the United States to execute the duties of an Indian Agent; and when such duties are required of any military officer, he shall perform the same without any other compensation than his actual traveling expenses.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 62.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, May 24, 1875.

1. The following extract from an Act of Congress is published for the information and guidance of all concerned :

AN ACT making appropriations for the support of the Army for the fiscal year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June thirtieth, eighteen hundred and seventy-six, as follows :

\* \* \* \* \*

*Provided,* That no money shall hereafter be paid to any railroad company for the transportation of any property or troops of the United States over any railroad which, in whole or in part, was constructed by the aid of a grant of public land on the condition that such railroad should be a public highway for the use of the Government of the United States free from toll or other charge, or upon any other conditions for the use of such road, for such transportation; nor shall any allowance be made for the transportation of officers of the Army over any such road when on duty and under orders as military officers of the United States. But nothing herein contained shall be construed as preventing any such railroad from bringing a suit in the Court of Claims for the charges for such transportation, and recovering for the same if found entitled thereto, by virtue of the laws in force prior to the passage of this act: *Provided,* That the claim for such charges shall not have been barred by the statute of limitations at the time of bringing the suit, and either party shall have the right of appeal to the Supreme Court of the United States: *And provided further,* That the foregoing provisions shall not apply for the current fiscal year, nor thereafter, to roads where the sole condition of transportation is that the company shall not charge the Government higher rates than they do individuals for like transportation, and when the Quartermaster General shall be satisfied that this condition has been faithfully complied with.

*Approved March 3, 1875.*

2. Pursuant to the foregoing act, officers of the Quartermaster's Department are instructed to make no payments to any railroad company for transportation of any property or troops of the United States over any of the railroads named in the table of Land Grant Railroads published in General Orders No. 107, A. G. O., of 1874, with the exception of the following named railroads, which, under the decision of the Second



Comptroller of the Treasury of April 5, 1875 (see Appendix B), are excepted from the provisions of the act above quoted, to wit:

- No. 3. The Atlantic and Pacific;
- No. 17. The Denver Pacific;
- No. 42. The New Orleans, Baton Rouge and Vicksburg;
- No. 43. The Northern Pacific;
- No. 44. The Oregon Central;
- No. 54. The St. Joseph and Denver City;
- No. 55. The Southern Pacific of California—main line;
- No. 56. The Southern Pacific of California—branch line;
- No. 58. The Texas Pacific; and
- No. 59. The Utah Central.

Full payments may be made for all transportation that has been or that may hereafter be furnished over the above named railroads.

3. The Union Pacific; the Central Pacific (main line), including the Western Pacific; the Kansas Pacific; the Central Branch Union Pacific (formerly the Atchison and Pike's Peak Railroad), and the Sioux City and Pacific Railroads are also, under the decision of the Second Comptroller of the Treasury above referred to, excepted from the provisions of the act; but payments to said roads being prohibited by the law of March 3, 1873, published in General Orders No. 48, A. G. O., of 1873, all accounts for transportation over said roads will, as required by paragraph 9 of General Orders No. 107, A. G. O., of 1874, be forwarded to the office of the Quartermaster General for administrative action.

4. Payment may be made to any of the railroad companies named in the table of Land Grant Railroads for transportation over any other railroad not land-grant, and to which payment is not prohibited by law, when said Land Grant Road is, in the ordinary course of business, entitled to collect the freight-money; as where it is the first or last link in a through route over which military supplies have been shipped.

5. Personal baggage of officers will not be shipped on Government Bill of Lading, except for the regulation allowance authorized in traveling under orders, unless transported by wagon or other conveyance owned by the United States.

6. Officers are advised that under the acts approved July 1, 1862, July 2, 1864, and February 24, 1871, as construed by the Attorney General in opinion of May 7, 1873, the railroad bridge over the Missouri River, between Council Bluffs, Iowa, and Omaha, Neb., is, for all purposes of Government transportation, a part of the Union Pacific Railroad line; and that under the act approved July 25, 1866, as construed by the

Second Comptroller of the Treasury, February 11, 1875, no higher rates can be paid for transportation of troops and property of the United States over the bridge, than the rate per mile paid for like transportation over other portions of said railroad line. For full text of the Comptroller's decision see Appendix A.

7. General Orders No. 6, A. G. O., of 1874, relative to collections for lost military stores, as modified by General Orders No. 10, A. G. O., of 1874, is hereby amended so as to require Disbursing Officers to furnish, at time of collection, the Chief of the Bureau controlling the appropriation to which the money so collected is to be credited, a statement of the amount collected, the reasons for making the collection, the name of the officer thereby relieved of responsibility, and any other necessary information.

8. Paragraph 20 of General Orders No. 98, A. G. O., of 1872, is hereby modified so as to authorize payment for military transportation to be made *only* when the paying officer is in possession of both parts of the Bill of Lading, except as hereinafter provided.

In case of the loss of either or both parts of the Bill of Lading, the paying officer, after satisfying himself of such loss in the manner required by existing regulations, and after correspondence with the Quartermaster General to ascertain if payment has been made for the service, may make payment in the manner authorized by paragraphs 20 and 21 of General Orders No. 98; but in all such cases he will *at once* report the fact of payment to the Office of the Quartermaster General, Transportation Branch, inclosing a copy of the Bill of Lading or Certificate (the Certificate to refer to the number of the Bill of Lading), and of the Voucher on which payment has been made; and the Quartermaster General will cause a book to be kept in which all payments so reported will be recorded in such manner as to show the date and place of payment; by whom and to whom paid; number of Bill of Lading, and number and amount of Voucher.

This modification of the method of payment is found to be necessary in order to prevent double payment by disbursing officers; a case having occurred in which payment was made, first on the duplicate, sustained by affidavit of carrier as to loss of original, and subsequently on the original presented by the same carrier. *But that there may be no unnecessary delay in making payment for such military transportation, officers are instructed to receipt, record, and forward the duplicate Bill of Lading to the paying officer immediately on delivery of the stores to them, except in cases arising under paragraph 18 of General Orders No. 98, in which*

cases the duplicate will be receipted and forwarded as soon as possible after the action of the board of survey therein provided for is completed.

9. Officers in preparing Bills of Lading are instructed to state in all cases the place at which payment will be made. When in doubt as to place of payment, make the Bills of Lading payable by the Chief Quartermaster of the Department or of the District to which the stores are shipped. Railroad companies and other carriers are requested to present the Bills of Lading for payment to the officer designated.

10. Shipping officers do not in all cases comply with the requirements of previous orders in relation to insertion of special rates in Bills of Lading, and certifying to their correctness. They will hereafter carefully complete the Bill of Lading in such respects before delivering it to the carrier.

The insertion of rates in Bills of Lading by carriers is unauthorized. If so inserted, the Government is not held to pay them.

11. Officers are again reminded that when shipments are made over Land Grant Roads, whether including transportation over other roads or not, where payment for the transportation is prohibited by law, the name of the road, the fact that it is a Land Grant Road, and that payment for the transportation is prohibited by law, should be stated in the Bill of Lading. The same facts should also be stated on the Request for personal transportation.

12. In cases of shipments of stores to care of an agent of a connecting line, upon whose receipt settlement for the transportation is authorized by paragraph 33 of General Orders No. 98 of 1872, the Bill of Lading will be countersigned by the shipping officer.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

## [Appendix A.]

**WAR DEPARTMENT,  
QUARTERMASTER GENERAL'S OFFICE,  
Washington City, January 11, 1875.**

To the Honorable the SECRETARY OF WAR:

SIR: The act of Congress approved July 25, 1866, 14 Stat., 244, sec. 3 of chap. 246, provides "that any bridge constructed under this act, and according to its limitations, shall be a lawful structure, and shall be recognized and known as a post-route; upon which, also, no higher charge shall be made for the transmission over the same of the mails, troops, and the munitions of war of the United States, than the rate per mile paid for their transportation over the railroads or public highways leading to said bridge."

The act approved February 24, 1871, 16 Stat., 430, authorizes the Union Pacific Railroad Company to issue its bonds to construct a bridge across the Missouri River at Omaha, and provides that "said company may levy and collect tolls and charges for the use of the same; and for the use and protection of said bridge and property, the Union Pacific Railway Company shall be empowered, governed, and limited by the provisions of the act entitled 'An Act to authorize the construction of certain bridges, and to establish them as post-roads,' approved July 25, 1866, so far as the same is applicable thereto."

Under these laws, and in pursuance of section 9 of the act of July 2, 1864, 13 Stat., 356, the Union Pacific Railroad Company has built a bridge over the river between Council Bluffs and Omaha, which, with the approaches and the tracks leading to the transfer grounds, is 4 miles long; and charges for the transportation, local and through, of freight 5 cents per 100 pounds, and 50 cents each for passengers.

These rates are higher than the rates charged by and paid to the railroads leading to said bridge, either in Iowa or Nebraska, and are higher than can be paid to the Union Pacific Railroad Company under the laws above quoted.

The law says that "no higher charge shall be made for the transmission over the same" (the bridge) "of the mails, troops, and munitions of war of the United States, than the rate per mile paid for their transportation over the railroads leading to said bridge."

In Iowa, and also in Nebraska, there are a number of railroads leading to the bridge, each having separate and varying rates, which are subject to frequent changes; and the question arises, what rates shall be allowed for the transportation of troops and munitions of war over the bridge? This question resolves itself into four others, viz:

1st. Shall the rates allowed be the rates paid one, and which one, of the roads, or an average of the rates of all the roads leading to the bridge?

2d. When troops and stores simply cross the bridge, but go no farther, shall the rates allowed be the rates paid other roads for the shortest distance for which rates are given in the public tariffs, which distance varies from 5 to 10 miles, or shall they be a proportion, say four-fifths or four-tenths of those rates?

3d. When stores are shipped from Council Bluffs to points beyond Omaha, shall the local charge for the bridge, or a *pro rata* of the charge for the whole distance, be allowed? and—

4th. In the through rate from Chicago and other points east of Council Bluffs the bridge charges, as apportioned by the Union Pacific Railroad Company, are higher than the rate per mile for other portions of the line; shall these charges be paid, or only *pro rata* of them?

Upon these several questions I submit the following:

1st. The bridge was built and is owned by the Union Pacific Railroad Company, which company has, under the laws above referred to, and the general right to control its own property, the right to prescribe the charges for the transportation over the same, subject, however, to the restrictions imposed by said laws; the Attorney General has, also, under date of May 7, 1873, given an opinion that for all purposes of the Government the bridge must be treated as a part of the Union Pacific Railroad line; therefore, in view of these facts, and the further facts that the several roads have varying rates, that these rates are subject to frequent changes, that confusion and irregularity would likely arise in the settlement of accounts by different officers if an average of the rates of all the roads is to govern, and that railroad companies interested would seldom know what rates would be allowed by the Government for any particular service, it seems to me proper that the rates to be allowed for the transportation over the bridge shall be the rates allowed the Union Pacific Railroad Company for like service upon its main line, and not an average of the rates of all the roads leading to the bridge.

This seems to me to be a reasonable construction to put upon the law, and is not, I think, in conflict with the spirit thereof—the intention of Congress evidently being not to allow the company to charge greater rates for transportation over the bridge, than are paid for like services upon other portions of its road.

2d. The lowest rate given by the Union Pacific Railroad Company is, for 10 miles, 8, 7, 6, and 5 cents per 100 pounds for first, second, third, and fourth-class freight, respectively, and for passengers 20 cents each for 4 miles. No rates are given for less distances. All shippers have to pay these rates whether the stores go one or ten miles, and the Government, in settling accounts for transporting property, say 4, 8, or 10 miles, pays, in accordance with general railroad custom and usage, the rate for 10 miles. Now, shall it pay these rates for transportation over the bridge, or only four-tenths of these rates? The law says "no higher charge shall be made than the rate per mile paid," &c. There are no rates per mile given; they are fixed for certain specified distances, and it seems not in conflict with the spirit of the law to pay the same rates for transportation over the bridge, 4 miles, that are paid upon other portions of the road for like distances, to wit: 10 miles.

3d. Upon all stores crossing the bridge and going to points beyond Omaha, I think a *pro rata* of the charge for the whole distance the stores are carried should be allowed for their transportation over the bridge, to be added to the charge from Omaha; for instance, stores going from Council Bluffs to, say Ogden, are carried 1,033 miles; the rates are fixed from Omaha, 1,029 miles, in all cases, and do not cover the bridge charges (except when the stores come from Chicago or some other point east of Council Bluffs), in such cases 4-1029 of the charges from Omaha to Ogden should be added for bridge transportation.

4th. The through rate from Chicago, and other points east of Council Bluffs where there is a through rate, covers the bridge charges, and, of course, nothing further should be allowed; those charges are, however, higher than the rate per mile for their transportation over other portions of the line, and it may well be questioned whether they can be allowed or not.

It is true that the Department cannot fix the rates for transportation over the road, nor over the bridge. The company may charge whatever rates seem to it proper, so they are not unreasonable (see act of July 1, 1862, 12 Stat., 489, sec. 6); and if the Union Pacific Railroad Company's proportion of the through rate, from Chicago to San Francisco, for instance, which for passenger transportation is \$110, is \$54.50, I do not see how the Department can avoid paying it; but when the company apportions 50 cents of that sum for the bridge charges, which is 31½ cents greater than the rate per mile for a like distance upon other portions of the route, and so long as the railroad company makes separate accounts for the bridge and charges 50 cents for each passenger, I do not see how those charges can be allowed.

I deem it important that these questions be properly decided, and as the Second Comptroller of the Treasury finally passes upon all the accounts of the Union Pacific Railroad Company, I recommend that they be submitted to him for decision.

I am, very respectfully, your obedient servant,

M. C. MEIGS,

Quartermaster General, Bvt. Maj. General, U. S. A.

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*In the matter of the claim of the Union Pacific Railroad Company for the payment of transportation of troops and munitions of war of the United States at tariff rates over the bridge across the Missouri River between Omaha and Council Bluffs.*

TREASURY DEPARTMENT,

SECOND COMPTROLLER'S OFFICE,

February 11, 1875.

SIR: I have considered the questions relating to the above claim presented in the report of the Quartermaster General to the Secretary of War and by him referred to this Office.

The authority of the Union Pacific Railroad Company to construct a bridge across the Missouri River, connecting Council Bluffs, in Iowa, with Omaha, in Nebraska, is derived from Congress by the act of February 24, 1871, 16 Stat., 430, and, *in pari materia*, by the act to authorize the construction of certain bridges, and to establish them as post-roads, approved July 25, 1866, 14 Stat., 244, so far as the same is applicable thereto.

The third section of this act provides that "no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States, than the rate per mile paid for their transportation over the railroads or public highways leading to the said bridge."

And by the second proviso of the act of February 24, 1871, above referred to, "Congress shall at all times have power to regulate said bridge, and the rates for the transportation of freight and passengers over the same, and the local travel hereinbefore provided for."

The report of the Quartermaster General states that "the bridge, with the approaches, and the tracks leading to the transfer grounds, is four miles long, and that the charges for the transportation, local and through, of freight are five cents per 100 pounds, and fifty cents each for passengers." That "these rates are higher than the rates charged by and paid to the railroads leading to said bridge, either in Iowa or Nebraska, and are higher than can be paid to the Union Pacific Railroad Company under the law above quoted," the act of July 2, 1864, secs. 9 to 13, Stat., 356, also included.

It has already been held by this Office that the bridge above described constitutes a portion of the Union Pacific Railroad. *Vide* decision of this Office of May 20, 1872, and the opinion of the Attorney General of May 7, 1873, sustaining this decision. For these reasons I am of the opinion that when the Union Pacific Railroad Company transports the "troops and munitions of war of the United States" from places west of said bridge and over it, the rates to be allowed for such service should be, *pro rata*, for like service upon its main line.

The report of the Quartermaster General continues: "The lowest rate given by the Union Pacific Railroad Company is, for 10 miles, 8, 7, 6, and 5 cents per 100 pounds for first, second, third, and fourth-class freight, respectively, and for passengers 20 cents each for 4 miles. No rates are given for less distances. All shippers have to pay these rates whether the stores go one or ten miles, and the Government, in settling accounts for transporting property say 4, 8, or 10 miles, pays, in accordance with general railroad custom and usage, the rate for 10 miles; now, shall it pay these rates for transportation over the bridge, or only four-tenths of these rates?"

Inasmuch as there are no rates per mile given, but only for the minimum distance, 10 miles, which is in accordance with general railroad custom and usage, I am of the opinion that the customary rates paid for this distance should also be paid for transportation over the bridge.

The Quartermaster General further states, that "upon all stores crossing the bridge and going to points beyond Omaha, I think a *pro rata* of the charge for the whole distance the stores are carried should be allowed for their transportation over the bridge, to be added to the charge from Omaha. For instance, stores going from Council Bluffs to, say, Ogden are carried 1,033 miles; the rates are fixed from Omaha, 1,029 miles. In all cases, and do not cover the bridge charges (except when the stores come from Chicago or some other point east of Council Bluffs); in such cases 4-1029 of the charges from Omaha to Ogden should be added for bridge transportation."

In the case presented I concur with the Quartermaster General that the rate for transportation over the bridge should be a *pro rata* of the charge for the whole distance.

"The through rate from Chicago and other points east of Council Bluffs, where there is a through rate, covers the bridge charges, and, of course, nothing further should be allowed; those charges are, however, higher than the rate per mile for the transportation over other portions of the line, and it may well be questioned whether they can be allowed or not." *Vide* report of Quartermaster General.

If this discrimination is made in consequence of the special tariff rates over the bridge, then it is plain that the law will not permit the railroad company to charge a higher rate to places east of Council Bluffs, where there is a through rate, than it does for transportation over other portions of its line.

Thus, in the example presented by the Quartermaster General, the rate for passenger transportation from Chicago to San Francisco is \$110, and the proportion allowed the Union Pacific Railroad is \$54.50; but of this sum 50 cents is paid on account of the bridge, which is 31½ cents greater than the rate per mile for a like distance upon other portions of the route. This extra charge is, therefore, a discrimination made in tariff rates on account of the bridge, and should be disallowed in all similar cases.

The report of the Quartermaster General is herewith returned.

Very respectfully, your obedient servant,

J. M. BRODHEAD,  
Comptroller.

Hon. W. W. BELKNAP,  
Secretary of War.

[ Appendix B.]

**WAR DEPARTMENT,  
QUARTERMASTER GENERAL'S OFFICE,  
Washington City, March 19, 1875.**

To the Honorable the SECRETARY OF WAR:

SIR: The law making appropriations for the support of the Army for the fiscal year ending June 30, 1876, and for other purposes, approved March 3, 1875, provides:

"That no money shall hereafter be paid to any railroad company for the transportation of any property or troops of the United States over any railroad which, in whole or in part, was constructed by the aid of a grant of public land on the condition that such railroad should be 'a public highway for the use of the Government of the United States free from toll or other charge,' or upon any other conditions for the use of such road for such transportation: \* \* \* *Provided*, That the foregoing restriction shall not apply, for the current fiscal year, nor thereafter, to roads where the sole condition of transportation is that the company shall not charge the Government higher rates than they do individuals for like transportation, and when the Quartermaster General shall be satisfied that this condition has been faithfully complied with."

A similar provision, with the exception of the proviso quoted, and the fact that the prohibition applies only to the appropriations for the fiscal year ending June 30, 1875, was inserted in the act making appropriations for the support of the Army for the fiscal year ending June 30, 1875, approved June 16, 1874. That law was construed by the Attorney General as applying to all railroads that had received grants of public lands upon any conditions whatsoever for the use of such roads (see General Orders No. 84, A. G. O., of 1874, copy inclosed), and embraced all railroads known as Land Grant Railroads, with the exception of the Oregon Central Railroad (see General Orders No. 107, A. G. O., of 1874), and the Utah Central Railroad, which railroad was decided by the Second Comptroller of the Treasury, January 14, 1875, not to be a Land Grant Railroad within the meaning of the act of June 16, 1874.

An examination of the table of Land Grant Railroads published in General Orders No. 98, A. G. O., of 1872, copy inclosed, will show that there are fourteen (14) railroads that received grants of land on conditions of one kind or another, having reference to Government transportation, other than the one that the railroad "shall be a public highway for the use of the Government free from toll or other charge."

These roads are (see pages 24 to 29 inclusive)—

- No. 3. The Atlantic and Pacific;
- No. 10. The Central Pacific—main line;
- No. 11. The Central Pacific—western division;
- No. 13. The Central Branch Union Pacific;
- No. 15. The Denver Pacific;
- No. 26. The Kansas Pacific;
- No. 42. The New Orleans, Baton Rouge and Vicksburg;
- No. 43. The Northern Pacific;
- No. 52. The Sioux City and Pacific;
- No. 56. The St. Joseph and Denver City;
- No. 58. The Southern Pacific of California—main line;
- No. 59. The Southern Pacific of California—branch line;
- No. 61. The Texas Pacific; and
- No. 63. The Union Pacific.



On pages 32 to 40, inclusive, will be found full reference to the laws, and the conditions for the use of the roads by the Government, attached.

An examination of these laws will show that there are other conditions than the one "that the company shall not charge the Government higher rates than they do individuals for like transportation;" but whether those conditions are of such a nature as will exclude any or all of the roads above named from the benefits of the proviso above quoted is a question which I respectfully submit for decision by such of the law officers or accounting officers of the Government as the Secretary of War may think proper.

I am of opinion that it was the intention of Congress to except from the prohibition "that no money shall hereafter be paid to any railroad company," &c., all roads that are not required in some way or other to give the free use of their roads for the transportation of troops or property of the United States, or to transport the same free of cost, charge, or expense to the United States. If this opinion is correct, then it appears to me that all the roads named in this communication are included in the proviso which excepts certain roads from the operation of that portion of the law forbidding payment to those roads "constructed, in whole or in part, by the aid of a grant of public land on the condition that such railroad should be a public highway for the use of the Government of the United States free from toll or other charge, or upon any other conditions for the use of such roads for such transportation."

Another question which I desire decided is, does the proviso "that the foregoing restrictions shall not apply for the current fiscal year, nor thereafter, to roads where the sole condition of transportation is that the company shall not charge the Government higher rates than they do individuals for like transportation," repeal the act of June 16, 1874, so far as the latter forbids payment out of the appropriations for the current fiscal year to the roads above named, so as to permit payment to those roads for services that have been rendered, or that may be rendered, during the current fiscal year?

Of course it is understood that the act of March 3, 1873, prohibiting payment to certain roads indebted to the United States for interest upon bonds of the United States issued to said companies, is still in force. (See General Orders No. 48, A. G. O., of 1873, copy inclosed.)

I am, very respectfully, your obedient servant,

M. C. MEIGS,

*Quartermaster General, Brevet Major General, U. S. A.*

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WAR DEPARTMENT, March 23, 1875.

Respectfully submitted to the Second Comptroller of the Treasury for opinion.

BY ORDER OF THE SECRETARY OF WAR:

H. T. CROSBY, *Chief Clerk.*

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SECOND COMPTROLLER'S OFFICE, April 5, 1875.

Respectfully returned to the Secretary of War with the remark that after examination of the statutes of Congress relating to the Land Grant Railroads, I concur with the view expressed by the Quartermaster General in his report to the Secretary of War, dated March 19, 1875:

*First*, That the enumerated railroads are excepted from the prohibitions as contained in the acts of June 16, 1874, and June 22, 1874; and,

*Second*, That the act of March 3, 1875, no longer operates to prohibit payment for the current fiscal year to those railroads where the "sole condition of transportation is that the company shall not charge the Government higher rates than they do individuals for like transportation," &c, &c.

And by the phrase "current fiscal year," found in the appropriation act of March 3, 1875, it is understood that the fiscal year commencing July 1, 1874, and ending June 30, 1875, is meant.

The act of March 3, 1873, as the Quartermaster General remarks, is left in full force in respect of the Pacific railroads indebted on account of United States bonds.

J. M. BRODHEAD, *Comptroller*.



GENERAL ORDERS }  
No. 63. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, May 28, 1875.*

The appropriation made by the last Congress for "Pay, &c., of the Army" for the fiscal year ending June 30, 1875, is \$900,000 short of the sum estimated for by the War Department, and the present indications are that the appropriation will prove deficient.

It may then be impracticable to make complete payment to the Army for time covered by the muster period ending June 30, 1875, and the balance of funds of the appropriation in question will, with view to making the deficiency fall equally upon all, be applied as follows:

1st. Final statements of discharged men and actual travel expenses of officers and others to be paid in full.

2d. Officers and enlisted men to be paid as far as practicable for the month of May.

3d. Any sum remaining after these payments are provided for may be applied, so far as it will go, to the payment alike of officers and enlisted men for such part (ten, fifteen, twenty, or thirty days) of June as it may be found sufficient to cover.

4th. The muster-rolls for May and June will be made up in the usual manner, and the charges for clothing due United States on June 30, 1875, together with other authorized stoppages on the rolls in question, will all be deducted from the payment made thereon as above provided.

In cases where the amount due soldier for the time paid for is less than the total of charges no payment can be made, and the account will be carried forward to subsequent rolls until settled in the usual manner.

In each case of payment, as contemplated, to May 31st, or a subsequent date in June, with deduction of all charges on the rolls, the remark "pay due for June, 1875," or "pay due for — days in June, 1875," as the case may be, will be borne opposite the name of the soldier upon subsequent rolls until payment for such time shall have been made.

5th. All charges against officers for the month of June will be deducted, as above provided for enlisted men, from any partial payment made to them for June.

6th. Dues to officers and enlisted men for time prior to July 1, 1875, not covered by the payment herein contemplated, will be paid as soon as Congress shall have passed the required deficiency bill. The appropria-

tions for the fiscal year ending June 30, 1876, will become available July 1, 1875, and will be applicable to time subsequent to that date.

7th. The Paymaster General will make such distribution of funds and give such special instructions as will provide as near as may be for the carrying out of this programme, care being had to provide, so far as practicable, for the payment of enlisted men and officers to one date.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 64.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, June 21, 1875.

*Abatement on Sentences of Military Prisoners.*

I..By section 6, act of March 3, 1873, for establishing a Military Prison, "the Secretary of War is authorized and directed to remit, in part, the sentences of such convicts" as earn favor by "their obedience, honesty, industry, or general good conduct "

The act of March 3, 1875, section 1, provides for a deduction of "five days in each and every calendar month during which no charge of misconduct shall have been sustained against " United States prisoners sentenced to confinement in State prisons or penitentiaries."

To equalize the practice in regard to punishment of military prisoners, so far as practicable, an abatement of five days for each month of consecutive good conduct may be allowed upon each sentence to confinement for over six months. For the Leavenworth Military Prison the orders will be issued by the General commanding Military Department of the Missouri, on recommendation of the Commandant of the Prison, without further reference; for other posts, by the proper Department Commander, in the usual mode.

II..Whenever prisoners are sent to the Leavenworth Military Prison to serve out their sentences, the order promulgating the sentence, and the descriptive list, to which will be appended a statement of conduct, will be forwarded with them. Until the prison is completed no prisoners must be sent there without orders from this Office.

By ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 65. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, June 22, 1875.*

By direction of the President, the limits of the Department of the Platte are hereby extended to include so much of the Territory of Idaho as lies east of a line formed by the extension of the western boundary of Utah to the northeastern boundary of Idaho—embracing the post of Fort Hall.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 66. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, June 23, 1875.*

By direction of the President of the United States, in compliance with the request of the Board for Testing Iron, Steel, &c., and with the concurrence of the Chief of Ordnance, the Executive Order of March 25, 1875, appointing the said Board, (published in General Orders No. 46, of March 27, 1875, from this Office,) is hereby amended by striking out the words "the Chief of Ordnance" and substituting therefor the words "the President of the United States."

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT.

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
 No. 67. } ADJUTANT GENERAL'S OFFICE,  
 Washington, June 26, 1875.

I...The following-named cadets, graduates of the Military Academy, are hereby appointed in the Army of the United States, with the rank indicated below, to date from June 16, 1875:

*Corps of Engineers.*

1. Cadet Smith S. Leach, to be Second Lieutenant, *vice* Tillman, promoted.
2. Cadet Dan C. Kingman, to be Second Lieutenant, *vice* Holden, resigned.
3. Cadet Eugene Griffin, to be Second Lieutenant, *vice* Price, promoted.
4. Cadet Willard Young, to be Second Lieutenant, *vice* Greene, promoted.

*First Regiment of Cavalry.*

22. Cadet George B. Backus, to be Second Lieutenant, *vice* Rockwell, appointed First Lieutenant in the Ordnance Department, (Company "M.")
24. Cadet Robert P. P. Wainwright, to be Second Lieutenant, *vice* Bacon, promoted, (Company "K.")

*Second Regiment of Cavalry.*

26. Cadet Henry D. Huntington, to be Second Lieutenant, *vice* Dinwiddie, promoted, (Company "D.")

*Fourth Regiment of Cavalry.*

23. Cadet Stanton A. Mason, to be Second Lieutenant, *vice* Miller, promoted, (Company "D.")
30. Cadet Alexander Rodgers, to be Second Lieutenant, *vice* Carter, promoted, (Company "A.")

*Fifth Regiment of Cavalry.*

20. Edwin P. Andrus, to be Second Lieutenant, *vice* Barnard, promoted, (Company "H.")

*Sixth Regiment of Cavalry.*

27. Cadet Timothy A. Touey, to be Second Lieutenant, *vice* Anderson, promoted, (Company "C.")
28. Cadet William Baird, to be Second Lieutenant, *vice* Morrison, promoted, (Company "A.")

33. Cadet George L. Scott, to be Second Lieutenant, *vice* Kingsbury, promoted, (Company "F.")

*Seventh Regiment of Cavalry.*

29. Cadet James G. Sturgis, to be Second Lieutenant, *vice* Alexander, deceased, (Company "M.")

*First Regiment of Artillery.*

8. Cadet Tasker H. Bliss, to be Second Lieutenant, *vice* Van Ness, promoted, (Company "D.")

9. Cadet Charles H. Clark, to be Second Lieutenant, *vice* Patterson, promoted, (Company "I.")

13. Cadet Elbert Wheeler, to be Second Lieutenant, *vice* Taylor, appointed First Lieutenant in the Ordnance Department, (Company "E.")

*Second Regiment of Artillery.*

5. Cadet Lotus Niles, to be Second Lieutenant, *vice* Campbell, promoted, (Battery "A.")

6. Cadet William A. Simpson, to be Second Lieutenant, *vice* Gifford, promoted, (Company "E.")

7. Cadet Charles A. Tingle, to be Second Lieutenant, *vice* Lyle, appointed First Lieutenant in the Ordnance Department, (Company "I.")

11. Cadet Victor H. Bridgman, to be Second Lieutenant, *vice* Stanton, promoted, (Company "D.")

14. Cadet Erasmus M. Weaver, jr., to be Second Lieutenant, *vice* Fechét, resigned, (Company "G.")

18. Cadet Eli D. Hoyle, to be Second Lieutenant, *vice* Howard, promoted, (Company "L.")

*Fourth Regiment of Artillery.*

15. Cadet Myron W. Howe, to be Second Lieutenant, *vice* Totten, promoted, (Company "M.")

17. Cadet James M. Jones, to be 2d Lieutenant, *vice* Bloom, promoted, (Company "C.")

*Fifth Regiment of Artillery.*

10. Cadet John P. Jefferson, to be Second Lieutenant, *vice* Whistler, promoted, (Company "A.")

12. Cadet John M. Baldwin, to be Second Lieutenant, *vice* Weir, appointed First Lieutenant in the Ordnance Department, (Company "B.")

16. Cadet James R. McAuliffe, to be Second Lieutenant, *vice* Sawyer, promoted, (Company "G.")

19. Cadet James C. Bush, to be Second Lieutenant, *vice* Johnson, promoted, (Company "H.")

*Sixth Regiment of Infantry.*

49. Cadet Arthur L. Wagner, to be Second Lieutenant, *vice* Groesbeck, promoted, (Company "G.")

*Ninth Regiment of Infantry.*

41. Cadet Thomas S. McCaleb, to be Second Lieutenant, *vice* Craig, transferred to the Sixth Cavalry, (Company "H.")

*Twelfth Regiment of Infantry.*

31. Cadet George R. Smith, to be Second Lieutenant, *vice* Kingsbury, promoted, (Company "E.")

42. Cadet Robert K. Evans, to be Second Lieutenant, *vice* Howard, resigned, (Company "F.")

*Thirteenth Regiment of Infantry.*

37. Cadet James B. Goe, to be Second Lieutenant, *vice* Baker, promoted, (Company "G.")

*Fourteenth Regiment of Infantry.*

32. Cadet Joseph H. Gustin, to be Second Lieutenant, *vice* Austin, promoted, (Company "K.")

*Fifteenth Regiment of Infantry.*

36. Cadet Thomas F. Davis, to be Second Lieutenant, *vice* Burnham, promoted, (Company "A.")

*Sixteenth Regiment of Infantry.*

38. Cadet John G. Ballance, to be Second Lieutenant, *vice* Love, promoted, (Company "A.")

*Seventeenth Regiment of Infantry.*

25. Cadet William A. Mann, to be Second Lieutenant, *vice* Metcalfe, resigned, (Company "B.")

*Eighteenth Regiment of Infantry.*

43. Cadet Charles W. Williams, to be Second Lieutenant, *vice* Hoyt, promoted, (Company "E.")

*Twenty-first Regiment of Infantry.*

34. Cadet Francis E. Eltonhead, to be Second Lieutenant, *vice* Hoag, deceased, (Company "I.")

*Twenty-second Regiment of Infantry.*

21. Cadet William H. Dykman, to be Second Lieutenant, *vice* Campbell, promoted, (Company "G.")

*Twenty-third Regiment of Infantry.*

35. Cadet Samuel A. Cherry, to be Second Lieutenant, *vice* Smith, deceased, (Company "F.")

39. Cadet Edwin B. Bolton, to be Second Lieutenant, *vice* Miller, deceased, (Company "E.")

II...The General Regulations (paragraph 181) allow three months' leave of absence to the graduates of the Military Academy on entering service. In accordance with this regulation, all the graduates above named will report in person at their proper stations on the 30th of September next.

III...The graduates will, on receipt of this order, immediately report by letter to the commanding officer of their respective regiments, who will assign to companies those who have not been so assigned by this order. If the station of the regimental commander be not known, their reports will be forwarded, under cover, to the Adjutant General for transmittal.

IV...In advance of the performance of the journeys under the foregoing orders, each graduate will be paid two months' pay.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS } WAR DEPARTMENT,  
No. 68. } ADJUTANT GENERAL'S OFFICE,  
Washington, June 29, 1875.

Hereafter, reimbursement for expenses of sleeping and *parlor* cars, including their use *day* and night, is authorized; and paragraph 2, General Orders No. 69 of 1874, from this Office, is modified accordingly.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }

No. 69.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, July 2d, 1875.*

The following promotions and appointments in the Army of the United States, made by the President, since the publication of General Orders No 47, of April 1, 1875, and up to July 1, 1875, are announced :

I..PROMOTIONS.

SUBSISTENCE DEPARTMENT.

Captain Thomas C. Sullivan, Commissary of Subsistence, to be Commissary of Subsistence with the rank of Major, April 14, 1875, *vice* Macfeely, appointed Commissary General of Subsistence.

ORDNANCE DEPARTMENT.

Lieutenant Colonel Theodore T. S. Laidley, to be Colonel, April 14, 1875, *vice* Whiteley, retired from active service.

Major Silas Crispin, to be Lieutenant Colonel, April 14, 1875, *vice* Laidley, promoted.

Captain Francis H. Parker, to be Major, April 14, 1875, *vice* Crispin, promoted.

First Lieutenant Joseph C. Clifford, to be Captain, April 14, 1875, *vice* Parker, promoted.

FIRST REGIMENT OF CAVALRY.

Second Lieutenant George R. Bacon, to be First Lieutenant, March 28, 1875, *vice* Grant, deceased. (Company "I," since transferred to Company "K.")

Second Lieutenant Alexander O. Brodie, to be First Lieutenant, May 25, 1875, *vice* Boutelle, appointed regimental adjutant. (Company "E," since transferred to Company "C.")

THIRD REGIMENT OF CAVALRY.

First Lieutenant William H. Andrews, regimental quartermaster, to be Captain, May 31, 1872, *vice* Curtis, promoted to the Tenth Cavalry. (Company "I.")

FIFTH REGIMENT OF CAVALRY.

First Lieutenant J. Scott Payne, to be Captain, June 4, 1875, *vice* Brown, deceased. (Company "F.")

Second Lieutenant Phineas P. Barnard, to be First Lieutenant, June 4, 1875, *vice* Payne, promoted. (Company "E.")

## NINTH REGIMENT OF CAVALRY.

Second Lieutenant Clarence A. Stedman, to be First Lieutenant, April 19, 1875, *vice* Starr, deceased. (Company "C.")

## TENTH REGIMENT OF CAVALRY.

Captain James Curtis, of the Third Cavalry, to be Major, May 31, 1875, *vice* McKibbin, retired from active service.

First Lieutenant Joseph M. Kelley, to be Captain, April 15, 1875, *vice* Robinson, cashiered. (Company "E.")

Second Lieutenant Mason M. Maxon, to be First Lieutenant, April 24, 1875, *vice* Spencer, dismissed. (Company "L.")

## SECOND REGIMENT OF ARTILLERY.

Second Lieutenant Clarence O. Howard, to be First Lieutenant, April 26, 1875, *vice* Thornburgh, appointed Paymaster. (Company "B.")

Second Lieutenant Nathaniel Wolfe, to be First Lieutenant, April 28, 1875, *vice* Lord, who resigns his regimental commission only. (Company "C.")

Second Lieutenant Henry A. Reed, to be First Lieutenant, May 21, 1875, *vice* Mitchell, appointed regimental adjutant. (Company "M.")

## THIRD REGIMENT OF ARTILLERY.

Second Lieutenant Joseph M. Califf, to be First Lieutenant, May 21, 1875, *vice* Pike, deceased. (Company "L.")

## FOURTH REGIMENT OF ARTILLERY.

Second Lieutenant Jacob E. Bloom, to be First Lieutenant, April 28, 1875, *vice* Marshall, who resigns his regimental commission only. (Company "C.")

Second Lieutenant Albert S. Cummins, to be First Lieutenant, May 29, 1875, *vice* McCoy, deceased. (Company "F.")

## FIFTH REGIMENT OF ARTILLERY.

Captain Richard Arnold, to be Major, May 1, 1875, *vice* Silvey, retired from active service.

First Lieutenant Charles C. MacConnell, to be Captain, May 1, 1875, *vice* Arnold, promoted Major. (Company "G.")

Second Lieutenant Charles R. Barnett, to be First Lieutenant, May 1, 1875, *vice* MacConnell, promoted. (Company "K.")

## SIXTH REGIMENT OF INFANTRY.

Second Lieutenant Alexander M. Wetherill, to be First Lieutenant, April 28, 1875, *vice* Atwood, who resigns his regimental commission only. (Company "H.")

## FIFTEENTH REGIMENT OF INFANTRY.

First Lieutenant John B. Engle, to be Captain, June 9, 1875, *vice* Brown, deceased. (Company "A.")

Second Lieutenant Hampden S. Cattel, to be First Lieutenant, March 3, 1875, *vice* Eckles, promoted. (Company "C.")

Second Lieutenant Cyrus M. De Lany, to be First Lieutenant, June 9, 1875, *vice* Engle, promoted. (Company "H.")

## SEVENTEENTH REGIMENT OF INFANTRY.

First Lieutenant Henry S. Howe, to be Captain, June 1, 1875, *vice* Grossmann, resigned. (Company "H.")

Second Lieutenant Robert Cairns, to be First Lieutenant, June 1, 1875, *vice* Howe, promoted. (Company "F.")

## EIGHTEENTH REGIMENT OF INFANTRY.

Second Lieutenant Hiram H. Benner, to be First Lieutenant, May 1, 1875, *vice* Whitehead, who resigns his regimental commission only. (Company "C.")

## TWENTY-SECOND REGIMENT OF INFANTRY.

Second Lieutenant William J. Campbell, to be First Lieutenant, May 12, 1875, *vice* Hogan, dismissed. (Company "K.")

## II. APPOINTMENTS.

## QUARTERMASTER'S DEPARTMENT.

First Lieutenant James H. Lord, of the Second Artillery, to be Assistant Quartermaster with the rank of Captain, April 24, 1875, *vice* Hunt, cashiered.

First Lieutenant James M. Marshall, of the Fourth Artillery, to be Assistant Quartermaster with the rank of Captain, April 24, 1875, *vice* Reynolds, promoted.

First Lieutenant Edwin B. Atwood, of the Sixth Infantry, to be Assistant Quartermaster with the rank of Captain, April 24, 1875, *vice* Dandy, promoted.

## SUBSISTENCE DEPARTMENT.

Major Robert Macfeely, Commissary of Subsistence, to be Commissary General of Subsistence with the rank of Brigadier General, April 14, 1875, *vice* Shiras, deceased.

First Lieutenant Frederick F. Whitehead, of the Eighteenth Infantry, to be Commissary of Subsistence with the rank of Captain, April 14, 1875, *vice* Sullivan, promoted.

## MEDICAL DEPARTMENT.

*To be Assistant Surgeons with the rank of First Lieutenant.*

Blair Dabney Taylor, of New York, June 26, 1875, to fill an original vacancy.

Curtis Ethelbert Price, of California, June 26, 1875, to fill an original vacancy.

James Cheston Worthington, of Maryland, June 26, 1875, to fill an original vacancy.

Henry Stuart Turrill, of New Mexico, June 26, 1875, to fill an original vacancy.

Edward Tiffin Comegys, of Ohio, June 26, 1875, to fill an original vacancy.

Walter Reed, of Virginia, June 26, 1875, to fill an original vacancy.

Henry Sayles Kilbourne, of the Indian Territory, June 26, 1875, *vice* Warfield, resigned.

James Cushing Merrill, of Massachusetts, June 26, 1875, *vice* Thomson, resigned.

William Richardson Hall, of Missouri, June 26, 1875, *vice* DuBois, resigned.

Richards Barnett, of Mississippi, June 26, 1875, *vice* Darken, resigned.

George Henry Torney, of Maryland, June 26, 1875, *vice* Smith, resigned.

Louis William Crampton, of Pennsylvania, June 26, 1875, *vice* Austin, deceased.

Joseph Yates Porter, of Florida, June 26, 1875, *vice* Dumreicher, cashiered.

Marshall William Wood, of Illinois, June 26, 1875, *vice* Ramsey, resigned.

Marcus Elvin Taylor, of New York, June 26, 1875, *vice* Wilcox, resigned.

William Lands Newlands, of California, June 26, 1875, *vice* Porter, resigned.

John de Barth Walbach Gardiner, of Maryland, June 26, 1875, *vice* Bacon, deceased.

Robert E. Smith, of Missouri, June 26, 1875, *vice* Davis, promoted.

William Cummings Shannon, of New Hampshire, June 26, 1875, *vice* Randall, resigned.

George Edwin Lord, of Maine, June 26, 1875, *vice* Weeds, promoted.

Louis S. Tesson, of Missouri, June 26, 1875, *vice* Culbertson, retired.

William Gardiner Spencer, of New York, June 26, 1875, *vice* Bradley, deceased.

Roland Lee Rosson, of Virginia, June 26, 1875, *vice* Parry, wholly retired.

#### PAY DEPARTMENT.

First Lieutenant Thomas T. Thornburgh, of the Second Artillery, to be Paymaster with the rank of Major, April 26, 1875, *vice* Wright, resigned.

William M. Maynadier, of Maryland, (late Captain First Artillery,) to be Paymaster with the rank of Major, April 26, 1875, *vice* Eggleston, cashiered.

#### III.. TRANSFERS.

First Lieutenant Joseph Keffe, from the Fifth Artillery to the Fourth Infantry, May 22, 1875. (Company "A.")

First Lieutenant Anthony W. Vogdes, from the Fourth Infantry to the Fifth Artillery, May 22, 1875. (Company "H.")

Second Lieutenant Louis A. Craig, from the Ninth Infantry to the Sixth Cavalry, May 25, 1875. (Company "K.")

Second Lieutenant John G. Ballance, from the Sixteenth Infantry to the Twenty-second Infantry, July 1, 1875. (Company "D.")

#### IV.. RETIRED.

*For incapacity resulting from long and faithful service; from wounds or injury received; from disease contracted, or from exposure in the line of duty, in conformity with sections 16 and 17 of the Act of August 3, 1861.*

Major David B. McKibbin, Tenth Cavalry, May 31, 1875.

Major William Silvey, Fifth Artillery, May 1, 1875.

*By direction of the President, in conformity with section 12 of the Act of July 17, 1862.*

Colonel Robert H. K. Whiteley, Ordnance Department, April 14, 1875.

Major Brantz Mayer, Paymaster, June 15, 1875.

#### V.. CASUALTIES.

##### RESIGNED. (6.)

Captain Frederick E. Grossmann, Seventeenth Infantry, June 1, 1875.

First Lieutenant James H. Lord, Second Artillery, April 28, 1875, (his regimental commission only.)

First Lieutenant James M. Marshall, Fourth Artillery, April 28, 1875, (his regimental commission only.)

First Lieutenant Edwin B. Atwood, Sixth Infantry, April 28, 1875.  
(his regimental commission only.)

First Lieutenant Frederick F. Whitehead, Eighteenth Infantry, May 1, 1875, (his regimental commission only.)

Second Lieutenant Gustav Von Blucher, Twenty-second Infantry.  
June 5, 1875.

COMMISSIONS VACATED BY NEW APPOINTMENT. (2.)

By Brigadier General Robert Macfeely, Commissary General of Subsistence, his commission as Commissary of Subsistence with the rank of Major. April 14, 1875. •

By Major Thomas T. Thornburgh, Paymaster, his commission as First Lieutenant Second Artillery, April 26, 1875.

DIED. (11.)

Brigadier General Alexander E. Shiras, Commissary General of Subsistence, at *Washington, D. C.*, April 14, 1875.

Captain Elias B. Carling, Assistant Quartermaster, at *Fort Sanders, Wyoming Territory*, July 1, 1875.

Captain William H. Brown, Fifth Cavalry, at *New York City*, June 4, 1875.

Captain James P. Brown, Fifteenth Infantry, at *Bellbrook, Ohio*, June 9, 1875.

First Lieutenant Alexander Grant, First Cavalry, at *Camp Halleck, Nevada*, March 28, 1875.

First Lieutenant Irwin M. Starr, Ninth Cavalry, at *Austin, Tex.*, April 19, 1875.

First Lieutenant Albert F. Pike, Third Artillery, at *Fort Wood, New York Harbor*, May 21, 1875.

First Lieutenant James C. McCoy, Fourth Artillery, at *New York City*, May 29, 1875.

First Lieutenant A. Benson Brown, U. S. Army—retired—at *Bordentown, N. J.*, May 6, 1875.

Second Lieutenant Daniel Flynn, U. S. Army—retired—at *Boston, Mass.*, May 4, 1875.

Post Chaplain Joseph Hurlbut, U. S. Army—retired—at *New London, Conn.*, June 5, 1875.

DISMISSED. (2.)

First Lieutenant Thomas J. Spencer, Tenth Cavalry, April 24, 1875.

First Lieutenant Martin E. Hogan, Twenty-second Infantry, May 12, 1875.

## CASHIERED. (2.)

Captain George T. Robinson, Tenth Cavalry, April 15, 1875.

Second Lieutenant J. Will Myers, Tenth Cavalry, May 27, 1875.

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VI.. Officers have been arranged in the foregoing order to the companies and batteries to which they have succeeded in the natural course of promotion or appointment, or to which they have been assigned by competent authority.

VII.. Acceptance or non-acceptance of appointments, and, in case of acceptance, the *birth-place* of the officer appointed, his *age* and *residence* when appointed, and his *full name*, correctly written, will in all cases be promptly reported to the Adjutant General.

VIII.. In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once, *direct to this office*, stating the *cause*, *date*, and *place*.

When an officer away from his command dies in hospital or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army medical officer, the report will be made by any officer having cognizance of the fact.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT.

*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 70. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, July 8, 1875.*

Company commanders will no longer be expected, as heretofore, to collect and transmit to the Chief of Ordnance the money value of ammunition sold by them to enlisted men under authority of General Orders No. 103, of 1874, from this Office. It will, instead, be charged against the men on company muster and pay-rolls, to be collected by the Pay Department as are other charges on account of Ordnance stores.

In accounting for ammunition sold, the officer will note the names, quantities, and amounts on the statement of charges accompanying his property returns, and state the date of the muster-roll on which the charges have been entered.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 71.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 10, 1875.

The following Opinion of the Judge Advocate General, in regard to the action taken upon the sentences in certain cases lately examined by him, is approved by the Secretary of War:

OPINION.

In these cases the accused was sentenced "To be dishonorably discharged the service," with forfeiture of pay, &c., "and then to be confined" for a certain term.

The Department Commander approves the proceedings, findings, and sentence, but proceeds to modify the latter by ordering that the dishonorable discharge shall take effect at the end of the term of confinement.

This action—*postponing to the end of a term of confinement a dishonorable discharge required by a sentence to be imposed at once, or before the confinement is entered upon*—is held to be beyond the authority of a reviewing officer.

The powers and duties of a commander in acting upon the proceedings of a Court-Martial are fixed by the Articles of War. As to any particular punishment imposed by a sentence approved by him, he must either execute the same as imposed, or else "pardon or mitigate" it. Beyond this the Articles give him (in time of peace) no discretion. But postponing to a future date the execution of a punishment required by such a sentence to be enforced at once is certainly not an executing of the sentence as it stands approved, nor is it a form of pardon. Further, it is not a mitigation, since it does not substitute for the particular penalty a lesser degree of punishment of the same species, (which is that in which *mitigation* consists, as defined by the Attorneys General,) but merely defers its enforcement, while retaining it unchanged in kind and quality.

Such a postponement is thus regarded as not coming within the statutory authority of a reviewing officer. For whatever motive of policy or discipline resorted to, it is yet not, in my opinion, the exercise of a legal power.

It may be observed that it is always open to such officer, if, for any cause, he may deem it expedient that the soldier shall not be discharged till after his imprisonment, to reconvene the court, and, stating his reasons, to suggest to it the modification of the sentence desired.

These views being approved by the Secretary of War, it is directed that the action, thus held unauthorized, be not resorted to by commanders in acting upon sentences of Courts-Martial.

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 72.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, July 20, 1875.

The following Circular from the Treasury Department relative to the importation of breech-loading rifles, and fixed ammunition suitable therefor, into the Territory of Alaska, is published for the information of the Army:

TREASURY DEPARTMENT,  
WASHINGTON, D. C., July 3d, 1875.

TO COLLECTORS OF CUSTOMS.

The importation of breech-loading rifles, and fixed ammunition suitable therefor, into the Territory of Alaska, and the shipment of such rifles or ammunition to any port or place in the Territory of Alaska, are hereby forbidden, and Collectors of Customs are instructed to refuse clearance of any vessel having on board any such arms or ammunition destined for any port or place in said Territory.

If, however, any vessel intends to touch or trade at a port in Alaska Territory, or to pass within the waters thereof, but shall be ultimately destined for some port or place not within the limits of said Territory, and shall have on board any such fire-arms or ammunition, the master or chief officer thereof will be required to execute and deliver to the Collector of Customs at the port of clearance a good and sufficient bond, with two sureties, in double the value of such merchandise, conditioned that such arms or ammunition, or any part thereof, shall not be landed or disposed of within the Territory of Alaska. Such bond shall be taken for such time as the Collector shall deem proper, and may be satisfied upon proofs similar to those required to satisfy ordinary export bonds, showing that such arms have been landed at some foreign port; or, if such merchandise is landed at any port of the United States not within the limits of the Territory of Alaska, the bond may be satisfied upon production of a certificate to that effect from the Collector of the port where it is so landed.

CHAS. F. CONANT,  
*Acting Secretary.*

Approved:  
U. S. GRANT,  
*President.*

BY ORDER OF THE SECRETARY OF WAR:

THOMAS M. VINCENT,  
*Assistant Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 73. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, August 2, 1875.

I. The following order has been received from the President of the United States :

EXECUTIVE MANSION,  
WASHINGTON, July 31, 1875.

It becomes the painful duty of the President to announce to the people of the United States the death of ANDREW JOHNSON, the last survivor of his honored predecessors, which occurred in Carter County, East Tennessee, at an early hour this morning.

The solemnity of the occasion which called him to the Presidency, with the varied nature and length of his public services, will cause him to be long remembered and occasion mourning for the death of a distinguished public servant.

As a mark of respect for the memory of the deceased it is ordered that the Executive Mansion and several Departments of the Government at Washington be draped in mourning until the close of the day designated for his funeral, and that all public business be suspended on that day.

It is further ordered that the War and Navy Departments cause suitable honors to be paid on the occasion to the memory of the illustrious dead.

U. S. GRANT.

By the President:

JOHN L. CADWALADER,  
*Acting Secretary of State.*

II. In compliance with the President's instructions the troops will be paraded at 10 o'clock A. M. on the day after the receipt of this order at each military post, when the order will be read to them, and the labors of that day will thereafter cease.

The national flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired ; and afterwards, at intervals of thirty minutes, between the rising and setting sun, a single gun ; and at the close of the day a national salute of thirty-seven guns.

The officers of the Army will wear crape on the left arm and on their swords, and the colors of the several regiments will be put in mourning for the period of thirty days.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*



GENERAL ORDER NO. 10  
JANUARY 1, 1912  
RECEIVED  
JANUARY 1, 1912

1. The following is a list of the names of the persons who have been appointed to the various positions in the office of the Secretary of the Navy, and the date of their appointment.

APPOINTMENTS

The following is a list of the names of the persons who have been appointed to the various positions in the office of the Secretary of the Navy, and the date of their appointment.

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GENERAL ORDERS }  
No. 74.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, August 4, 1875.*

The following order is published for the information of all concerned :

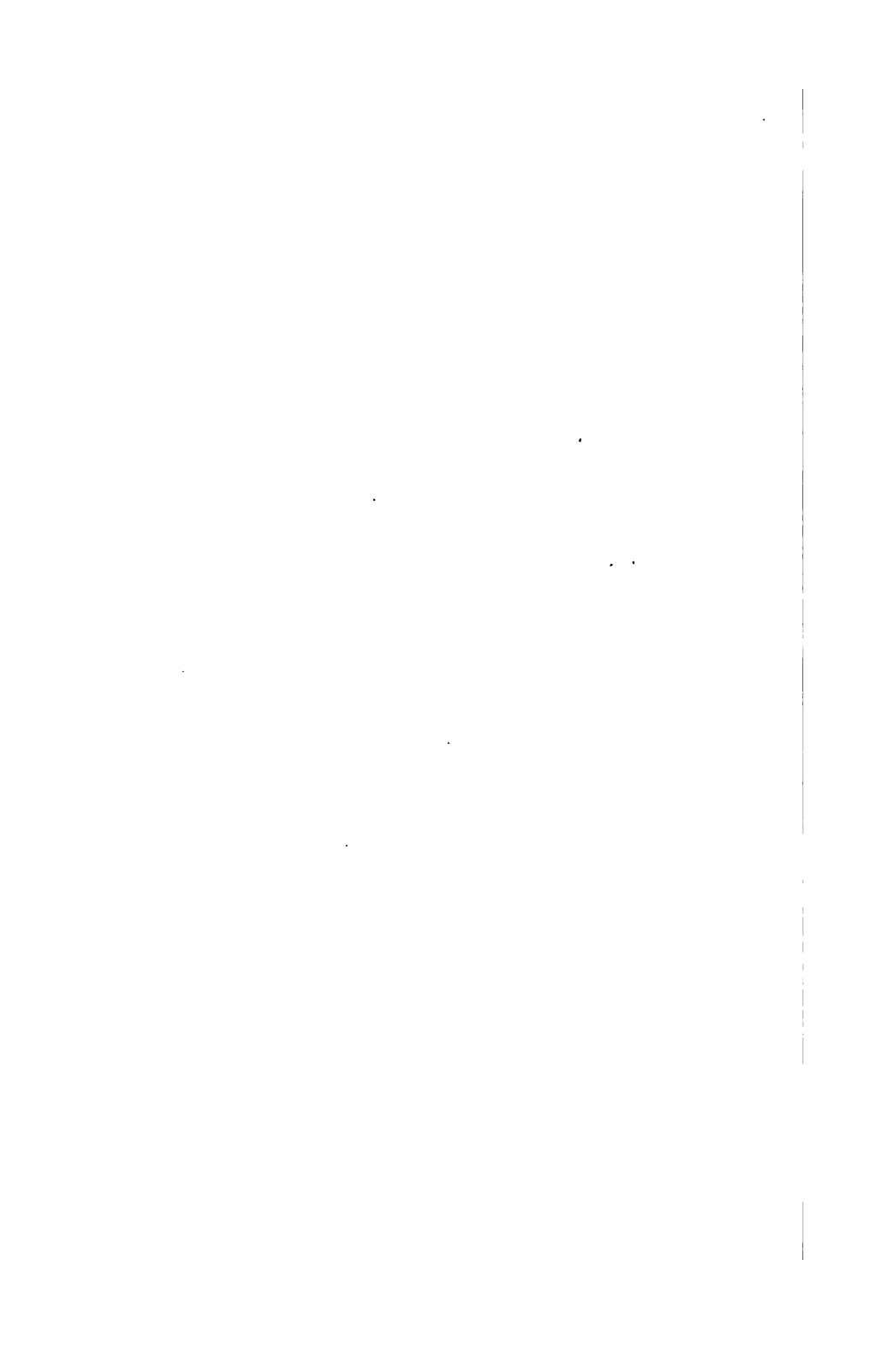
There will be detailed for each Engineer office at Headquarters of Military Divisions and Departments one enlisted man to serve as draughtsman, who will be allowed \$25 per month as extra-duty pay, to be paid from such allotments of Engineer funds as may be authorized for said Engineer offices.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 75. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, August 5, 1875.

The following orders of the Executive are published for the information and guidance of all concerned :

ORDERS:

EXECUTIVE MANSION,  
July 27, 1875.

In conformity to provisions contained in the River and Harbor Act, approved March 3, 1875, granting to James B. Eads and his associates authority to use, for the construction of jetties at the mouth of the Mississippi River, any materials on the public lands of the United States that shall be suitable for and may be needed in said works, under such regulations as the Secretary of War shall prescribe, it is hereby ordered and directed—

1. That the general supervision of all matters properly appertaining to the grant therein made is placed in the officer of Engineers, Major C. B. Constock, detailed by the Secretary of War, under the provisions of the said act, to report to him "the depth of water and width of channel secured and maintained from time to time in said channel, together with such other information as the Secretary of War may direct."

2. *Protection of the interests of the U. S. so far as the taking of material is concerned.*—Said Eads and his associates shall, prior to taking material from any public lands, obtain authority to do so from the Secretary of War, their applications specifying the kinds and amounts of material they wish to take from each subdivision of the public lands; and they shall at once cease from such taking on being notified that the authority is withdrawn.

3. *Protection of the interests of the U. S. so far as structures are concerned.*—Said Eads and his associates and contractors are authorized to erect, at their own expense, such shops, dwellings, store-houses, and wharves, on the military reservation at the mouth of the Mississippi, as may be necessary for the prosecution of the work, and shall furnish a list and plan, showing the location of the same, to the Secretary of War; but these shall be erected in such a way and at such places as not unnecessarily to interfere with navigation, or any other interest in which the United States is concerned, whereof the Secretary of War shall be the judge. At his direction any such structure shall be at once removed.

*Protection of James B. Eads' interests.*—No person, save said Eads and his contractors, shall erect any building, tent, or other habitation on the military reservation at the mouth of the Mississippi River. Any person so doing may be summarily ejected by the United States Marshal or his deputy. But as authority has already been given to James B. Eads by the Secretary of War to collect the material afore-

said until he should be furnished with the regulations as now herein given, the said Eads is authorized to continue collecting materials under that authority until the 1st day of September, 1875, after which time these regulations will go into effect.

U. S. GRANT.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 76. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, August 5, 1875.*

Upon the recommendation of the Commissary General of Subsistence the following changes in the regulations of the Subsistence Department are made:

I..Paragraph 1188, General Regulations, to be as follows:

The Subsistence Department will purchase at contract or last invoiced price such sound and well-conditioned articles of the ration (fresh beef and bread excepted) saved by companies, hospitals, bakeries, or other organizations, as the officers in charge thereof may desire to sell to the Department. Savings or sales of fresh beef, after issue to the troops, are prohibited. The purchase vouchers (of savings) will be made out in the letter, name, or proper designation of the company, hospital, or command to which the savings belong, and will be paid to the actual commanders of companies, to the officers in charge of hospitals, bakeries, &c., by any officer performing duty in the Subsistence Department having funds for the purpose, preferably, and always where practicable, by the officer who takes up the stores, and in the month in which he accounts for them. The name of the company commander, medical or other officer, the letter or name of the company, hospital, or bakery, from which the savings are purchased, as well as the articles and quantities, must be entered on the Abstract of Purchases for the month.

The purchase vouchers will be made out in duplicate when the officer purchasing the savings pays for them in the same month in which he takes them up on his returns. These vouchers will accompany his Accounts-Current. If not paid for in the month in which purchased, quadruplicate vouchers will be made out—one set, without receipts, to accompany the Returns of Provisions for the month.

II..Paragraph 1234, General Regulations, to be as follows:

Savings from the rations may be sold for the benefit of the company, hospital, bakery, or other organization to which they belong, at the dis-

cretion of the officer in charge thereof, unless the Subsistence Department requires the stores for reissue, in which case they must be sold to it.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 77.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, August 6, 1875.*

In accordance with a recommendation of the Board on the Equipment and Outfit of the Infantry Soldier, approved by the Secretary of War January 4, 1875, the sword no longer forms a part of the equipment of Company Sergeants. (*Vide* pages 57 and 62, Ordnance Memoranda, No. 19.)

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



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GENERAL ORDERS }  
No. 78. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, August 9, 1875.*

Attention is called to Paragraph 186, Revised Regulations for the Army, of 1863, and a strict compliance therewith in future is enjoined :

186. Leaves of absence on account of sickness will not be granted to officers to go beyond the limits of the Military Department within which they are stationed, unless the certificate of the Medical Officer shall explicitly state that a greater change is necessary to save life, or prevent *permanent* disability. Nor will sick leaves to go beyond the Department limits be given in any case, except of immediate urgency, without the previous sanction of the War Department.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND.

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }

No. 79.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.

Washington, August 20, 1875.

The following order of the Postmaster General, fixing the rates of charges for telegraphic communications, is published for the information of the Army:

*Rates of Pay for Communications by Telegraph, 1875-76.*

POST OFFICE DEPARTMENT,

June 30, 1875.

WHEREAS, by the act of Congress approved July twenty-fourth, A. D. eighteen hundred and sixty-six, entitled "An Act to aid in the construction of telegraph lines, and to secure to the Government the use of the same for postal, military, and other purposes," in section second it is enacted: That telegraphic communications between the several departments of the Government of the United States and their officers and agents shall, in their transmission over the lines of said companies, have priority over all other business, and shall be sent at rates to be annually fixed by the Postmaster General:

Now, therefore, in pursuance and by virtue of the authority on me by said act conferred, I, MARSHALL JEWELL, Postmaster General of the United States, do hereby fix the rates at which the telegraphic communications aforesaid shall be sent for the year commencing on the first day of July, A. D. eighteen hundred and seventy-five, as follows, namely:

The rate for all telegraphic communications known as the signal-service messages and reports shall be three cents for each word of said reports and messages for each circuit over which it may pass in accordance with the schedule of circuits and plans of the Chief Signal Officer of the Army, which are now adopted or may hereafter be adopted by him for transmitting these dispatches, or such part thereof as he may designate, in such words or ciphers as may, from time to time, be directed by him. The amount thus estimated is to be taken in full payment for said dispatches; no additional allowance to be made for drops, office messages, or other services or special facilities required by the Chief Signal Officer for the correct and prompt transmission of said signal-service messages and reports.

The rate for all telegraphic communications, sent otherwise than over circuits established as aforesaid, shall be as follows, viz: One cent per word for each circuit\* (not exceeding ten) through which it shall be transmitted, said rate to be computed subject to the following conditions, viz:

A distance of two hundred and fifty miles, as computed by the tables of the Post Office Department, shall be deemed a circuit.

If, in computing circuits, there shall be found one or more circuits and a fraction of a circuit, such fraction shall be deemed a circuit.

If a communication shall be sent a distance less than two hundred and fifty miles, that distance shall be deemed a circuit.

All words of the communication transmitted are to be counted, excepting the date and place at which such communication is filed.

All messages of less than twenty five words, address and signature included, shall be rated as if containing twenty-five words, and all messages exceeding twenty-five words shall be rated by the exact number of words they contain, address and signature included.

MARSHALL JEWELL,  
*Postmaster General.*

\* The word "circuit," as here used, means not a telegraphic circuit, but a unit of distance of two hundred and fifty miles.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 80. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, September 1, 1875.*

I..Information having been received of the desecration of soldiers' graves by holding picnic parties in a National Cemetery, and by vending refreshments therein, it is hereby ordered that hereafter no such practices shall be allowed in any National Cemetery, nor on any adjoining ground within the control of the United States.

II..Visitors will not be allowed in the National Cemeteries before sunrise or after sunset. No refreshments will be taken into these Cemeteries.

III..In National Cemeteries where driving is permitted, the speed must be confined to a walk. If it is found difficult to enforce this rule at any Cemetery the gates will be closed over the carriageway and all driving prohibited.

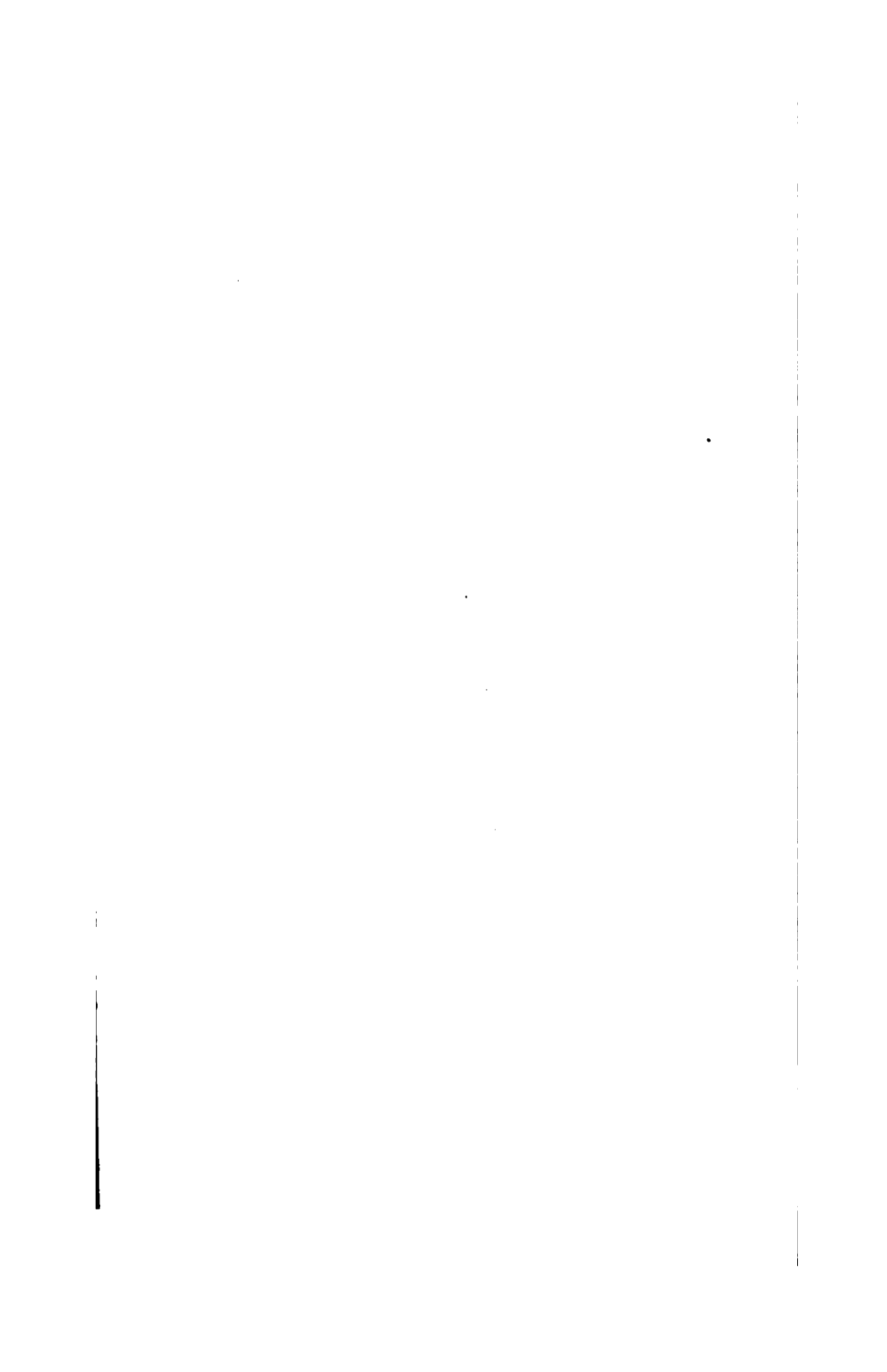
IV..These orders will be conspicuously posted at the main entrance of each National Cemetery, and will be rigidly enforced by the Superintendents.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS } WAR DEPARTMENT,  
No. 81. } ADJUTANT GENERAL'S OFFICE,  
Washington, Sept. 9, 1875.

The accompanying table of the price of clothing and equipage for the Army of the United States, with the allowance to each soldier for clothing in kind during each year of his enlistment, and the money allowance therefor for each year, is approved and published for the information and guidance of all concerned. It will take effect on the first of January, 1876, and will remain in force until further orders.

Old-pattern clothing, when not invoiced as "new Uniform," will be charged at the prices fixed in General Orders No. 75, A. G. O., 1871, and will be designated on the Return of Clothing, Camp and Garrison Equipage, as "old pattern."

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





[illegible]

**Materials sold to officers for their personal use should be charged at the following rates:**

[illegible]

Dark-blue cloth, 6-4, (new,) \$2 67 per yard.

Sky-blue kersey, 6-4, (new, \$2 52 per yard.

*Prices at which Camp and Garrison Equipage will be charged in case of loss or damage.*

ARTICLES.	AM'T.	ARTICLES.	AM'T.
Iron bunk, without slats.....	\$4 50	Book, Regimental Descriptive.....	\$2 11
Bedsack, double.....	1 66	"    "    Index.....	87
"    single.....	1 51	"    "    Order.....	1 51
Mosquito bar.....	73	Regimental books set.....	7 56
Iron pot.....	82	Target Practice book.....	33
Camp kettle.....	44	Tent, hospital.....	36 00
Mess pan.....	20	"    fly, hospital.....	13 50
Ax.....	73	"    poles, hospital, set.....	3 90
Ax-helve.....	15	"    pins, hospital, set.....	1 68
Ax-sling.....	31	"    hospital, complete.....	55 08
Hatchet.....	36	"    wall.....	16 34
"    helve.....	3	"    fly, wall.....	6 25
"    sling.....	25	"    poles, wall, set.....	2 00
Spade.....	61	"    pins, wall set.....	1 20
Shovel.....	59	"    wall, complete.....	25 79
Pick-ax.....	67	"    common.....	7 75
"    helve.....	7	"    poles, common, set.....	1 25
Drum, complete.....	3 45	"    pins common, set.....	68
"    head, batter.....	87	"    common, complete.....	9 68
"    "    snare.....	35	"    shelter, 2 halves.....	2 80
"    sling.....	18	"    poles, shelter, set.....	40
"    sticks pair.....	11	"    pins, shelter, set.....	12
"    "    carrriage.....	23	"    shelter, complete.....	3 32
"    oord.....	15	"    pin, hospital, large.....	4
"    snares, set.....	11	"    pin, wall, large.....	4
"    case.....	29	"    pin, common, small.....	4
Trumpet, with extra mouth-piece.....	1 45	"    pin, shelter.....	2
Bugle.....	1 63	Flag, garrison.....	72 70
Cord and tassel for trumpet or bugle.....	45	"    storm.....	21 00
Extra mouth-piece for trumpet or bugle.....	25	"    halliards, garrison, and storm.....	1 90
Fife, B or C.....	17	"    recruiting.....	4 67
Book, Company, Clothing Acc't.....	1 33	"    halliards, recruiting.....	13
"    "    Order.....	55	Colors, National, artillery and infantry.....	27 56
"    "    Descriptive.....	71	Colors, Regimental, artillery and infantry.....	34 45
"    "    Morning Report.....	1 00	Standard for mounted regiment.....	10 00
Company books, set.....	3 59	Guldon.....	4 44
Book, Post Order.....	45	Color belt and sling.....	1 57
"    Morning Report.....	40	Camp color.....	79
"    "    Letter.....	45	Stencil plates, set.....	1 54
"    "    Guard Report.....	75	Scrubbing brush.....	20
Post books, set.....	2 05	Corn broom.....	33
Book, Regimental Gen'l Order.....	1 56		
"    "    Letter.....	1 51		

*Allowance of Clothing.*

ARTICLES.	First year.	Second year.	Third year.	Fourth year.	Fifth year.	Total for five years.
Helmet, cavalry, light artillery, and signal corps, with trimmings complete.....	1	.....	1	.....	.....	2
Dress cap, with trimmings complete.....	1	.....	1	.....	.....	2
Campaign hat, complete.....	1	1	1	1	1	5
Forage cap.....	1	1	1	1	1	5
Forage cap-cover.....	1	1	1	1	1	5
Uniform coats.....	2	1	1	1	1	6
Trousers.....	3	2	3	2	3	13
Shirts.....	3	3	3	3	3	15
Drawers.....	3	2	2	2	2	11
Boots.....	1	1	1	1	1	5
Shoes.....	2	2	2	2	2	10
Stockings.....	4	4	4	4	4	20
Blouses.....	2	2	2	2	2	10
Great coat.....	1	.....	.....	.....	.....	1
Stable frock for mounted men.....	1	.....	1	.....	.....	2
Overalls for engineers and mounted men.....	1	1	1	1	1	5
Blanket, woolen.....	1	.....	1	.....	.....	2
Blanket, rubber, for foot troops.....	1	1	1	1	1	5
Poncho, rubber, for mounted troops.....	1	1	1	1	1	5
White Berlin gloves, pairs.....	8	8	8	8	8	40
*Buffalo or Arctic overshoes, pairs.....	1	.....	1	.....	.....	2
*Great coat lined with blanket or cloth.....	1	.....	.....	.....	.....	1
*Mittens, woolen, pairs.....	2	2	2	2	2	10

\* Overcoats lined with blanket or cloth, Buffalo or Arctic overshoes, and woolen mittens, will be issued as provided for in General Orders No. 10, A. G. O., 1875.



*ed States Army.*

ALA.		
Cavalry and Light Artillery.	Artillery and Infantry.	Engineers.
84 88	\$75 68	\$78 4
51 11	47 13	49 11
67 55	58 18	60 11
51 11	47 13	49 11
56 78	51 40	53 21
11 43	\$279 52	\$290 31









GENERAL ORDERS }  
No. 82. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, September 20, 1875.*

General Orders No. 22, War Department, Adjutant General's Office, dated March 13, 1875, is hereby modified so far as to restore, from 1st instant, the allowances of fuel and forage prescribed by orders and regulations in force prior to the issue of said General Orders No. 22, 1875. The expenses on such account must, however, be kept within the appropriations granted therefor.

Division and Department Commanders will be held responsible that the expenses do not exceed the remittances made, and they will, when necessary, reduce the allowance of fuel and forage in their commands accordingly.

General Orders No. 18, War Department, Adjutant General's Office, 1874, will govern as to allowances of rooms and fuel.

The forage-ration will be:

For horses, fourteen pounds of hay and twelve pounds of oats, corn, or barley.

For mules, fourteen pounds of hay and nine pounds of oats, corn, or barley.

In special cases of hard service or exposure the Quartermaster General may authorize the ration of grain to be increased not more than three pounds, when recommended by the Chief Quartermaster of a department or of an army in the field.

In barracks, twelve pounds of straw per month for bedding will be allowed to each man and company woman.

The allowance and change of straw for the sick is regulated by the Surgeon.

One hundred pounds per month is allowed for bedding to each horse and mule in public service.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 83. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, September 23, 1875.*

General Orders No. 103, from this office, under date of August 5, 1874, is so far amended as to allow the Cavalry service fifteen (15) rounds instead of ten (10) of ball ammunition per month for target practice, this number to be divided between the carbine and revolver at the discretion of the commanding officer. No greater allowance can be authorized on account of the insufficiency of the appropriations for the manufacture of metallic ammunition.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

1000

1000

1000

GENERAL ORDERS }  
No. 84. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, September 24, 1875.*

The military post known as Columbus Arsenal, Ohio, is hereby transferred to the General Recruiting Service for depot purposes.

The transfer will take place October 1st, 1875, after which the post will be known as "Columbus Barracks."

The Government property pertaining to the post, excepting such stores as are now awaiting disposition under the orders of the Chief of Ordnance, will be turned over by the Ordnance officer in charge of the arsenal to 1st Lieutenant James A. Haughey, 21st Infantry, Recruiting officer, who will take charge of the same until further instructions from this Office.

During the necessary time to complete the shipment of the Ordnance stores and other duties in connection with the arsenal, the Ordnance officer in charge will continue to occupy his present quarters.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS	}	WAR DEPARTMENT,
No. 85.		ADJUTANT GENERAL'S OFFICE. Washington, October 1, 1875.

The following promotions and appointments in the Army of the United States, made by the President since the publication of General Orders No. 69, of July 2, 1875, and up to October 1, 1875, are announced:

# I..PROMOTIONS.

## TENTH REGIMENT OF CAVALRY.

Second Lieutenant Levi P. Hunt, to be First Lieutenant, June 30, 1875, *vice* Morrison, appointed Regimental Quartermaster, (Company "E.")

## FOURTH REGIMENT OF ARTILLERY.

Second Lieutenant Joseph Garrard, to be First Lieutenant, August 1, 1875, *vice* Fuger, appointed Regimental Quartermaster, (Battery "B.")

Second Lieutenant Alexander B. Dyer, to be First Lieutenant, August 13, 1875, *vice* Newkirk, dismissed, (Company "F.")

## SECOND REGIMENT OF INFANTRY.

First Lieutenant Charles Keller, Regimental Quartermaster, to be Captain, July 20, 1875, *vice* Camp, resigned, (Company "G.")

Second Lieutenant Sidney E. Clark, to be First Lieutenant, August 1, 1875, he being the Regimental Quartermaster.

## FIFTH REGIMENT OF INFANTRY.

Second Lieutenant Theodore F. Forbes, to be First Lieutenant, August 31, 1875, *vice* Campbell, resigned, (Company "G.")

## TWENTIETH REGIMENT OF INFANTRY.

Second Lieutenant William H. Hamner, to be First Lieutenant, July 27, 1875, *vice* Stafford, deceased, (Company "C;" since transferred to Company "B.")

Second Lieutenant Henry W. Howgate, to be First Lieutenant, August 4, 1875, *vice* Wood, deceased, (Company "K.")

Second Lieutenant John B. Rodman, to be First Lieutenant, August 4, 1875, he being the Regimental Adjutant.



## II.. APPOINTMENTS.

### QUARTERMASTER'S DEPARTMENT.

First Lieutenant John Simpson, Regimental Quartermaster Fourth Artillery, to be Assistant Quartermaster with the rank of Captain, July 17, 1875, *vice* Carling, deceased.

### PAY DEPARTMENT.

Josiah A. Broadhead, of Massachusetts, (late additional Paymaster of Volunteers,) to be Paymaster with the rank of Major, July 25, 1875, *vice* Mayer, retired from active service.

First Lieutenant William Arthur, Regimental Quartermaster Third Artillery, to be Paymaster with the rank of Major, July 26, 1875, *vice* Nicholls, resigned.

### ORDNANCE DEPARTMENT.

Second Lieutenant Charles W. Whipple, Third Artillery, to be First Lieutenant, July 19, 1875, *vice* Clifford, promoted.

### FIRST REGIMENT OF ARTILLERY.

Eugene Wells, of Missouri, (late Captain Fourth Infantry,) to be Second Lieutenant, July 6, 1875, *vice* Best, promoted, (Company —.)

## III.. TRANSFERS.

Second Lieutenant F. Beers Taylor, from the Eighteenth Infantry to the Ninth Cavalry, September 18, 1875, (Company —.)

Second Lieutenant Daniel H. Floyd, from the Ninth Cavalry to the Eighteenth Infantry, September 18, 1875, (Company —.)

Second Lieutenant Charles G. Ayres, from the Twenty-fifth Infantry to the Tenth Cavalry, September 18, 1875, *vice* Orleman, promoted. (Company —.)

## IV.. CASUALTIES.

### RESIGNED, (6.)

Major James W. Nicholls, Paymaster, July 23, 1875.

Captain Frederick E. Camp, Second Infantry, July 20, 1875.

Chaplain John N. Schultz, Twenty-fourth Infantry, July 23, 1875.

First Lieutenant John Simpson, Fourth Artillery, July 30, 1875. (his regimental commission only.)

First Lieutenant Quintin Campbell, Fifth Infantry, August 31, 1875.

Second Lieutenant Theodore H. Eckerson, Sixth Infantry, September 15, 1875.

## COMMISSIONS VACATED BY NEW APPOINTMENT.

By Major William Arthur, Paymaster, his commission as First Lieutenant Third Artillery, July 26, 1875.

By First Lieutenant Charles W. Whipple, Ordnance Department, his commission as Second Lieutenant Third Artillery, July 19, 1875.

## DIED, (8.)

Lieutenant Colonel Seth Eastman, U. S. Army, retired, at *Washington, D. C.*, August 31, 1875.

Major Gurden Chapin, U. S. Army, retired, at *Culpeper, Va.*, August 22, 1875.

Captain Samuel C. Greene, U. S. Army, retired, at *Washington, D. C.*, August 28, 1875.

Post Chaplain Mark L. Chevers, near *Fort Monroe, Va.*, September 13, 1875.

First Lieutenant George W. Deshler, First Artillery, at *Fort Barrancas, Fla.*, July 28, 1875.

First Lieutenant Joseph S. Stafford, Twentieth Infantry, at *Fort Snelling, Minn.*, July 27, 1875.

First Lieutenant Walworth W. Wood, Twentieth Infantry, at *Washington, D. C.*, August 4, 1875.

Second Lieutenant Robert T. Lyons, Seventeenth Infantry, at *Saint Paul, Minn.*, July 10, 1875.

## DISMISSED, (4.)

First Lieutenant Edward P. Newkirk, Fourth Artillery, August 13, 1875.

First Lieutenant Patrick H. Moroney, U. S. Army, retired, July 8, 1875.

Second Lieutenant Edwin P. Eckerson, Fifth Cavalry, July 15, 1875.

Second Lieutenant James H. Winters, Twenty-third Infantry, August 23, 1875.

V...Officers have been arranged in the foregoing order to the companies and batteries to which they have succeeded in the natural course of promotion or appointment, or to which they have been assigned by competent authority.

VI...Acceptance or non-acceptance of appointments, and, in case of acceptance, the *birth-place* of the officer appointed, his *age* and *residence* when appointed, and his *full name*, correctly written, will in all cases be promptly reported to the Adjutant General.

VII...In case of the death of an officer, it is hereby made the duty of his immediate commanding officer to report the fact at once, *direct to this Office*, stating the *cause*, *date*, and *place*.

When an officer away from his command dies in hospital or under treatment, the medical officer in charge will forward the report as above required; if not under treatment by an Army medical officer, the report will be made by any officer having cognizance of the fact.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS } WAR DEPARTMENT,  
No. 86. } ADJUTANT GENERAL'S OFFICE,  
Washington, October 2, 1875.

Uniform coats of the old pattern, when furnished with the proper facings, will be issued at the following prices :

For Infantry and Artillery, foot, at \$5.92 each.

For Engineers, Ordnance, Hospital Stewards, Ordnance and Commissary Sergeants, at \$6.24 each.

BY ORDER OF THE SECRETARY OF WAR :

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL :

*Assistant Adjutant General.*

1

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GENERAL ORDERS }  
No. 87. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, October 3, 1875.*

The soldiers' burial ground at Finn's Point, New Jersey, opposite Fort Delaware, is announced as a "National Cemetery" of the *fourth* class, in addition to those named in General Orders No. 51, of 1872, Nos. 3 and 53, of 1874, and No. 48, of 1875, from this Office.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

1

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3

GENERAL ORDERS }  
 No. 88. }

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE.

Washington, October 14, 1875.

The following Circular, issued June 16, 1875, from the Headquarters Division of the Pacific, is, on the recommendation of the Paymaster General, adopted as the rule for the Army:

While General Orders No. 75, War Department, Adjutant General's Office, 1873, directs disbursing officers to refuse payment on telegraphic communications which appear to have been sent on private business, and on communications which there was no necessity to send by telegraph, there is yet forced upon the Government a great and unnecessary expense, arising from the number of needless words used in telegraphic communications. An examination of a number of telegrams received at these headquarters, containing over seventy-five words, shows that one-half, and in some cases one-third, the number of words would have conveyed the information. It is necessary to effect economy in this matter, and officers in this division, before sending off dispatches, particularly when they contain more than twenty-five words, will carefully strike out every word not important to the sense of the communication.

All words of mere respect should be omitted.

The words *I, of, a, and the* can nearly always be omitted.

As it generally requires fewer words to address the Office than the Officer, and as a dispatch thus addressed will more certainly reach its destination, and be received without doubt as to its official character, this practice is enjoined, and officers at division and department headquarters and at posts will be addressed after the following manner:

Adjutant General, Division Pacific, San Francisco.

Chief Quartermaster, Department California, San Francisco.

Commanding Officer, Camp Halleck, Nevada.

Adjutant, Presidio, California.

In signing a telegram, the last name of the officer and the designation of his command or office are sufficient to make it authentic, as—

KALTZ,

*Commanding Dept.*

TAYLOR,

*Paymaster.*

FORBUSH,

*Post Adjutant.*

WOON,

*Assistant Adjutant General.*

CHANDLER,

*Quartermaster.*

HASKILL,

*Commanding Detachment.*

• BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 89. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, October 21, 1875.*

The course of instruction at the Artillery School, Fort Monroe, Virginia, will in future, commencing with the next term, May, 1876, be two years instead of one, and General Orders No. 99, November 13, 1867, from this Office, is modified accordingly.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 90. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, November 1, 1875.

*Rooms and Fuel.*

That part of General Orders No. 82, War Department, Adjutant General's Office, current series, as follows: "General Orders No. 18, War Department, Adjutant General's Office, 1874, will govern as to allowances of rooms and fuel," is revoked, and the following is substituted therefor:

General Orders No. 18, War Department, Adjutant General's Office, 1874, will govern as to allowances of rooms as quarters, and fuel therefor.

It will also govern as to allowances of rooms and fuel therefor, except as follows:

To the Aides-de-camp to the Commanding Officer of a Geographical Division or Department will be allowed one office room.

To the Headquarters of a Geographical Division or Department will be allowed, in addition to the prescribed office rooms to the officers on duty thereat, such number of rooms for the clerks, records, &c., of the several Staff Corps (not including the Quartermaster's and Subsistence Departments) as may be necessary, not to exceed eight (8) in all, to be assigned by the Chief Quartermaster under direction of the Commanding Officer.

Where the allowance of office rooms to officers of the Quartermaster's Department is insufficient there will be allowed such additional rooms as may be necessary, not to exceed three, (3,) to be regulated by the Quartermaster General.

To officers of the Subsistence Department, under same circumstances, will be allowed not to exceed two (2) additional rooms, to be regulated upon recommendation of the Commissary General of Subsistence and approved by the Quartermaster General.

The authorized office allowance of fuel may be supplied to each of the additional rooms hereinbefore specified.

General Orders No. 18 is also modified as follows:

In line five, on page 2, before the words "Medical Purveyor," strike out the letter *a* and insert "an Assistant," so that it will read "an Assistant Medical Purveyor."

*Officers' Baggage.*

Paragraph 1097, Revised Army Regulations, is modified as follows :

The baggage to be transported is limited to camp and garrison equipage and officers' baggage. Officers' baggage shall not exceed (mess-chest and all personal baggage included) as follows :

	In the field.	Changing stations.
Major General .....	1,000 pounds.	2,500 pounds.
Brigadier General .....	700 "	2,000 "
Field officers .....	500 "	1,800 "
Captains .....	200 "	1,500 "
Subalterns .....	150 "	1,000 "

These amounts shall be reduced *pro rata* by the commanding officer when necessary, and may be increased by the Quartermaster General on transports by water when proper in special cases.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 91. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, November 8, 1875.*

Cases have occurred of payment to assignees of forged final statements on which the transfer was attested by the genuine signature of an officer, witness to the transfer, as prescribed in Note 3 on printed form of final statement.

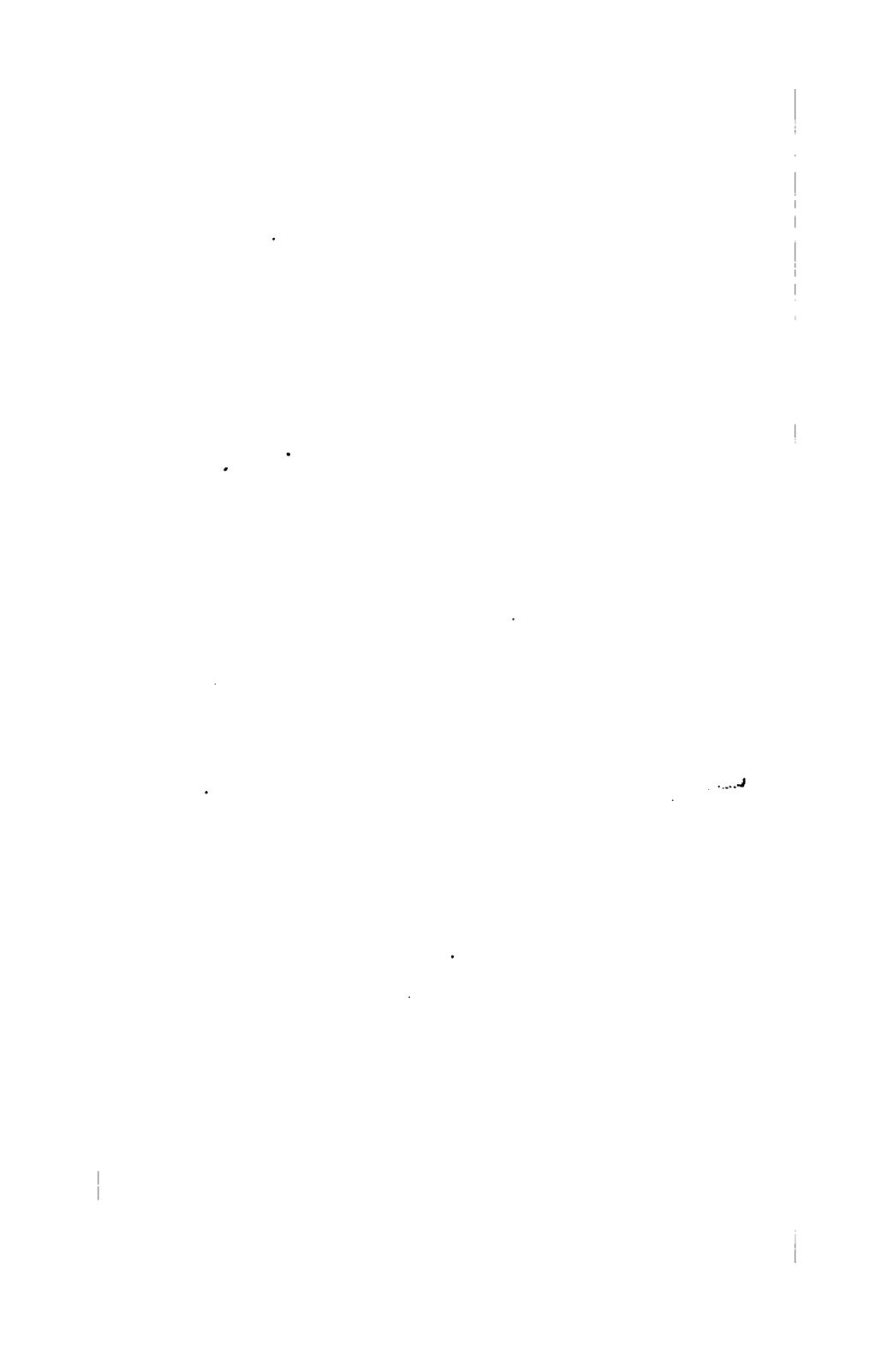
In future it will be held to be the duty of such witnessing officer to satisfy himself of the genuineness of the papers, (both discharge and final statements,) and in the event of their proving to be forgeries the amount, if any, paid thereon will be charged against and stopped from his pay.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 92. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, November 10, 1875.*

So much of General Orders No. 99, of 1867, from this Office, establishing an Artillery School at Fort Monroe, as designates "the senior officer of Ordnance stationed at the post" as a member of the "staff of the school," is hereby rescinded.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }

No. 93. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, November 11, 1875.*

I..The allowance of Horse Medicines and Dressings prescribed in General Orders No. 195, May 12, 1864, No. 13, February 15, 1871, and No. 21, February 28, 1873, War Department, A. G. O., entitled "Standard Supply Table," will be issued quarterly to the Company Commanders of Light Artillery and Cavalry. The number of animals for which the articles are required will be stated in the requisition. Issues will in no case be made in excess of the allowance; and Company Commanders will not be required to account on the Return of Quartermaster Stores for the articles thus issued.

Blanks of the appended forms will be supplied by the Quartermaster's Department upon which to account for the issues:

II..Horse Medicines and Dressings expended in the public service by the Quartermaster will be accounted for on Form No. 39, and the voucher entered on Abstract Hh.

The number of animals for which the expenditure is made will be certified on the voucher.

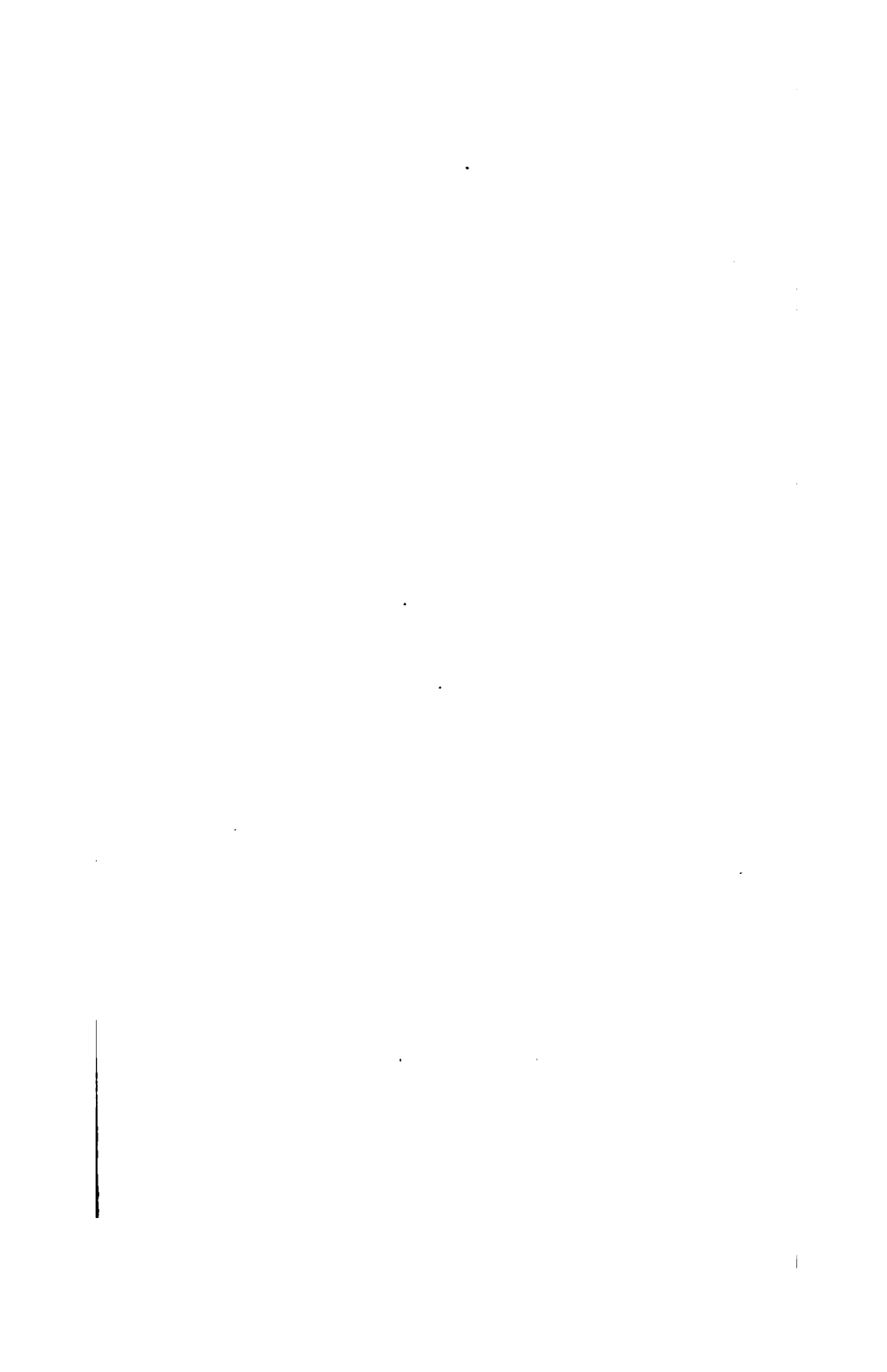
Veterinary Instruments will be issued and accounted for as heretofore.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





FORM NO. 364.—(Abstract H/L.)

the quarter ending on the ..... day of ....., 18 .., by .....

Ground Flaxseed.	Lbs.
Hartshorn.	Gals.
Lunar Caustic.	Ozs.
Laudanum.	Qts.
Simple Cerata.	Lbs.
Mercurial Ointment.	Lbs.
Mustang Liniment.	Bots.
Powell's Liniment.	Bots.
Welchman's Liniment.	Bots.
Kennedy's Liniment.	Bots.
Oil, Olive.	Gals.
Oil, Linseed.	Gals.
Oil, Turpentine.	Gals.
Resin.	Lbs.



**FORM No. 364.**

**Abstract III.**

**ABSTRACT OF HORSE MEDICINES AND DRESSINGS**

Issued during the quarter . . . . . , 18 . . . , by

..... Quartermaster .....

At .....

To be in duplicate: one copy to be retained by the officer, one sent with the Quarterly Return to the Quartermaster General.

Horse medicines and dressings expended in the public service by the Quartermaster will be accounted for on Form No. 39, and entered on this Abstract.

The number of animals for which the expenditure is made will be certified on the Voucher.

Transfers to be entered on Abstract K.

**REQUISITION for Horse Medicines and Dressings for .....**

NUMBER OF ANIMALS FOR WHICH REQUIRED.		Alces, ounces	Alcohol, gallons.	Asafoetida, pounds.	Alum, pounds.	Blister Liquid, quarts.	Blue Stone, pounds.	Borax, pounds.	Calomel, pounds.	Castile Soap, pounds.
HORSES.	MULES.									

I CERTIFY that the above requisition is correct, and that horse medicines and dressings are required for the following animals:

.....

....., *Commanding*

Received at ....., on the ..... day of .....  
 .... quarts liquid blister, .... pounds blue stone, .... pounds borax, .... pounds calomel,  
 mercurial ointment, .... bottles Mustang liniment, .... bottles Powell's liniment, ....  
 salte, .... pounds sulphur, .... pounds saltpetre, .... quarts sweet spirits nitre, ...  
 .... pounds sponge, .... ounces silk, for ligature.



**FORM No. 374.**

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**Voucher No. ...., Abstract Hh.**

..... quarter, 18 .

**REQUISITION FOR HORSE MEDICINES AND DRESSINGS**

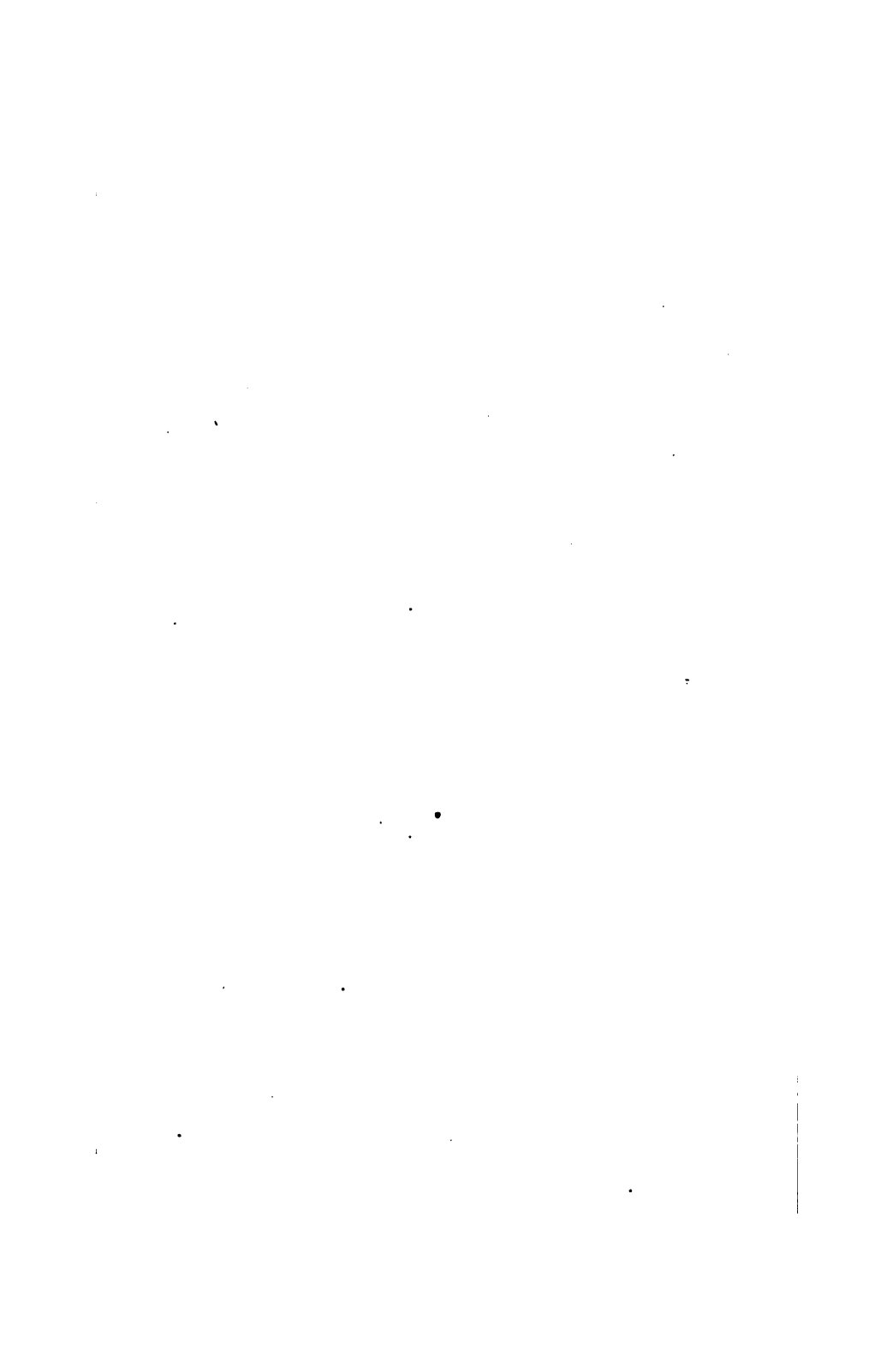
**REQUIRED BY**

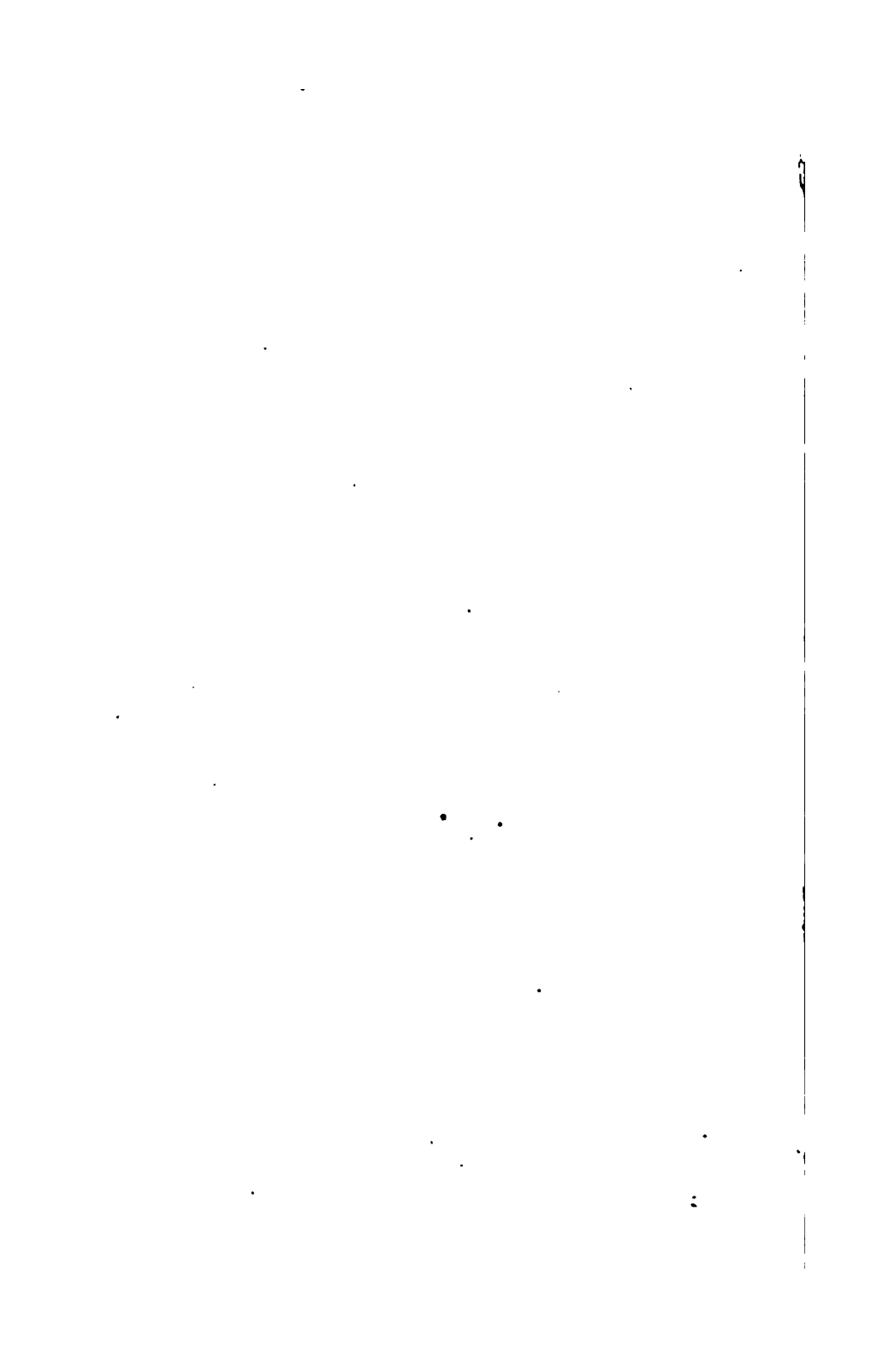
.....  
.....

**Issued ..... 18 .**

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**To be in duplicate: one copy retained by issuing officer, one sent to the Quartermaster General with Abstract Hh.**





GENERAL ORDERS }  
No. 94. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, November 16, 1875.*

Upon the recommendation of the Surgeon General of the Army, General Orders No. 65, of 1874, from this office, is hereby amended to read as follows:

Medical officers in charge of post hospitals will prepare, on the 1st of May of each year, and forward without delay, through the regular official channels, to the Adjutant General of the Army, detailed estimates of repairs, alterations, or additions required for their respective hospitals during the next fiscal year, or for the erection of new hospital buildings when deemed necessary.

The estimates will be accompanied by such drawings as may be necessary to their full understanding, and will show the kind and cost of the materials and labor to be procured, and to what extent, if any, the work can be performed by the troops.

Where no alterations or repairs are required, that fact will be immediately reported.

For the Department of Dakota these estimates will be forwarded on the 1st of March.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL COURT-MARTIAL. }

ORDERS NO. 95.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,

Washington, November 15, 1875.

In the case of *Denis Guilfoile*, late Private, Company "A," 1st Infantry, the unexecuted portion of the sentence (General Orders No. 57, Headquarters Department of Dakota, St. Paul, Minnesota, September 8, 1875) is remitted, and the prisoner will be released from confinement and set at liberty on receipt of this order at the place where he may be confined.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 96. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, November 19, 1875.*

The following changes in the uniform and dress of the Army having, in conformity with the 100th Article of War, been submitted by the Secretary of War to the President, and by him approved, are hereby adopted:

1st. Officers are permitted to wear a plain dark-blue body-coat with the button designating their respective corps, regiments, or departments, without any other mark or ornament upon it. This coat, however, is not to be considered as a dress for any military purpose.

2d. Cap badges for all officers of Infantry will be two gold-embroidered rifles without bayonets, barrels upward, on dark-blue cloth ground, with the number of the regiment in silver in the upper angle, according to pattern in Quartermaster General's Office.

Badge for all enlisted men of Infantry except Field and Band Musicians the same insignia, in brass, with the letter of the company, also in brass, above the number of the regiment.

Field and Band Musicians will continue to wear the bugle and letters as at present prescribed.

3d. This new regulation concerning insignia for Infantry officers will go into effect on or before the 1st June, 1876.

The new insignia for enlisted men of Infantry will be issued and worn as soon as it is received from the Quartermaster's Department, on which the necessary requisitions will be made.

4th. Undress sack-coats for officers will hereafter be of the same pattern and material as that now worn, without the black braid, and no slashes at the hips.

The sword and sword-belt will be worn outside the coat.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }

No. 97. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, November 22, 1875.

I...The following Order announces the decease of HENRY WILSON, Vice-President of the United States:

EXECUTIVE MANSION,  
WASHINGTON, November 22, 1875.

It is with profound sorrow that the President has to announce to the people of the United States the death of the Vice-President, **Henry Wilson**, who died in the Capitol of the Nation this morning.

The eminent station of the deceased, his high character, his long career in the service of his State and of the Union, his devotion to the cause of freedom, and the ability which he brought to the discharge of every duty, stand conspicuous, and are indelibly impressed on the hearts and affections of the American people.

In testimony of respect for this distinguished citizen and faithful public servant, the various Departments of the Government will be closed on the day of the funeral, and the Executive Mansion and all the Executive Departments in Washington will be draped with badges of mourning for thirty days.

The Secretaries of War and of the Navy will issue orders that appropriate military and naval honors be rendered to the memory of one whose virtues and services will long be borne in recollection by a grateful nation.

U. S. GRANT.

By the President:

HAMILTON FISH,  
*Secretary of State.*

II...On the day next succeeding the receipt of this order at each military post the troops will be paraded at 10 o'clock A. M. and this order read to them.

The National flag will be displayed at half-staff.

At dawn of day thirteen guns will be fired. Commencing at 12 o'clock M. seventeen minute-guns will be fired, and at the close of the day the national salute of thirty-seven guns.

The usual badge of mourning will be worn by officers of the Army, and the colors of the several regiments will be put in mourning for the period of three months.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

No.	Name	Address
1	John A. Smith	123 Main St.
2	James B. Jones	456 Elm St.
3	Robert C. Brown	789 Oak St.
4	William D. White	101 Pine St.
5	Thomas E. Green	202 Cedar St.
6	Charles F. Black	303 Birch St.
7	David G. Gray	404 Spruce St.
8	Edward H. Hall	505 Willow St.
9	George I. King	606 Ash St.
10	Henry J. Lee	707 Hickory St.
11	Frank K. Miller	808 Sycamore St.
12	Charles L. Moore	909 Walnut St.
13	John M. Taylor	1010 Chestnut St.
14	William N. Wilson	1111 Locust St.
15	Thomas O. Young	1212 Olive St.
16	Charles P. Adams	1313 Maple St.
17	David Q. Baker	1414 Elm St.
18	Edward R. Clark	1515 Oak St.
19	George S. Evans	1616 Pine St.
20	Henry T. Fisher	1717 Cedar St.
21	Frank U. Hall	1818 Birch St.
22	Charles V. King	1919 Spruce St.
23	John W. Lee	2020 Willow St.
24	William X. Miller	2121 Ash St.
25	Thomas Y. Moore	2222 Hickory St.
26	Charles Z. Taylor	2323 Sycamore St.
27	David A. Wilson	2424 Walnut St.
28	Edward B. Young	2525 Chestnut St.
29	George C. Adams	2626 Locust St.
30	Henry D. Baker	2727 Olive St.
31	Frank E. Clark	2828 Maple St.
32	Charles F. Evans	2929 Elm St.
33	John G. Fisher	3030 Oak St.
34	William H. Hall	3131 Pine St.
35	Thomas I. King	3232 Cedar St.
36	Charles J. Lee	3333 Birch St.
37	David K. Miller	3434 Spruce St.
38	Edward L. Moore	3535 Willow St.
39	George M. Taylor	3636 Ash St.
40	Henry N. Wilson	3737 Hickory St.
41	Frank O. Young	3838 Sycamore St.
42	Charles P. Adams	3939 Walnut St.
43	John Q. Baker	4040 Chestnut St.
44	William R. Clark	4141 Locust St.
45	Thomas S. Evans	4242 Olive St.
46	Charles T. Fisher	4343 Maple St.
47	David U. Hall	4444 Elm St.
48	Edward V. King	4545 Oak St.
49	George W. Lee	4646 Pine St.
50	Henry X. Miller	4747 Cedar St.
51	Frank Y. Moore	4848 Birch St.
52	Charles Z. Taylor	4949 Spruce St.
53	John A. Wilson	5050 Willow St.
54	William B. Adams	5151 Ash St.
55	Thomas C. Baker	5252 Hickory St.
56	Charles D. Clark	5353 Sycamore St.
57	David E. Evans	5454 Walnut St.
58	Edward F. Fisher	5555 Chestnut St.
59	George G. Hall	5656 Locust St.
60	Henry H. King	5757 Olive St.
61	Frank I. Lee	5858 Maple St.
62	Charles J. Miller	5959 Elm St.
63	John K. Moore	6060 Oak St.
64	William L. Taylor	6161 Pine St.
65	Thomas M. Wilson	6262 Cedar St.
66	Charles N. Young	6363 Birch St.
67	David O. Adams	6464 Spruce St.
68	Edward P. Baker	6565 Willow St.
69	George Q. Clark	6666 Ash St.
70	Henry R. Evans	6767 Hickory St.
71	Frank S. Fisher	6868 Sycamore St.
72	Charles T. Hall	6969 Walnut St.
73	John U. King	7070 Chestnut St.
74	William V. Lee	7171 Locust St.
75	Thomas W. Miller	7272 Olive St.
76	Charles X. Moore	7373 Maple St.
77	David Y. Taylor	7474 Elm St.
78	Edward Z. Wilson	7575 Oak St.
79	George A. Adams	7676 Pine St.
80	Henry B. Baker	7777 Cedar St.
81	Frank C. Clark	7878 Birch St.
82	Charles D. Evans	7979 Spruce St.
83	John E. Fisher	8080 Willow St.
84	William F. Hall	8181 Ash St.
85	Thomas G. King	8282 Hickory St.
86	Charles H. Lee	8383 Sycamore St.
87	David I. Miller	8484 Walnut St.
88	Edward J. Moore	8585 Chestnut St.
89	George K. Taylor	8686 Locust St.
90	Henry L. Wilson	8787 Olive St.
91	Frank M. Young	8888 Maple St.
92	Charles N. Adams	8989 Elm St.
93	John O. Baker	9090 Oak St.
94	William P. Clark	9191 Pine St.
95	Thomas Q. Evans	9292 Cedar St.
96	Charles R. Fisher	9393 Birch St.
97	David S. Hall	9494 Spruce St.
98	Edward T. King	9595 Willow St.
99	George U. Lee	9696 Ash St.
100	Henry V. Miller	9797 Hickory St.

GENERAL ORDERS }  
No. 98. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, December 1, 1875.*

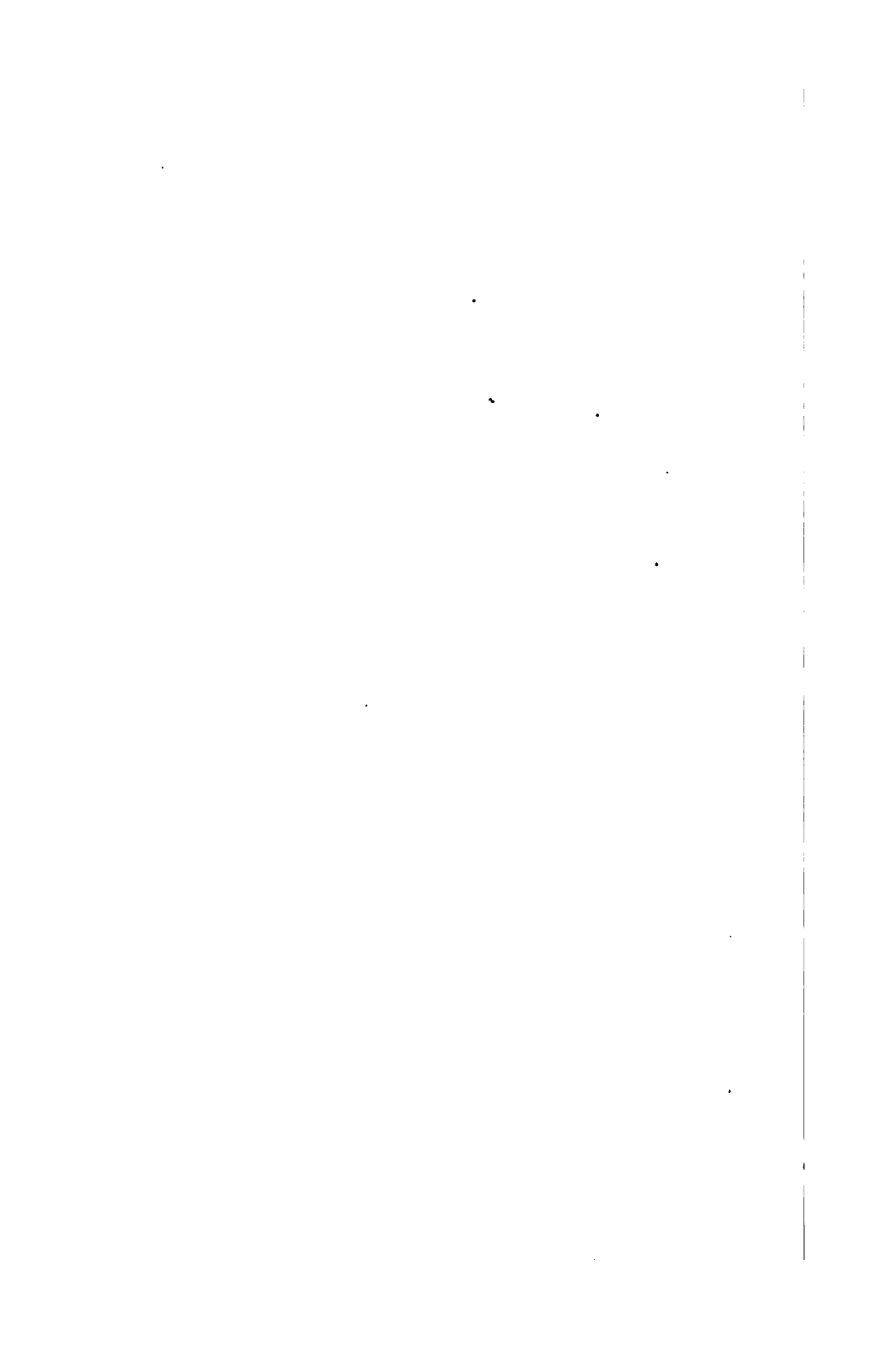
By direction of the President, Brigadier General JOSEPH HOLT, Judge Advocate General, having served faithfully until he is over sixty-two years of age, is, at his own request, retired from active service, in conformity with section 1244, Revised Statutes, to date from December 1, 1875.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 99. }

WAR DEPARTMENT.  
ADJUTANT GENERAL'S OFFICE,  
*Washington, December 1, 1875.*

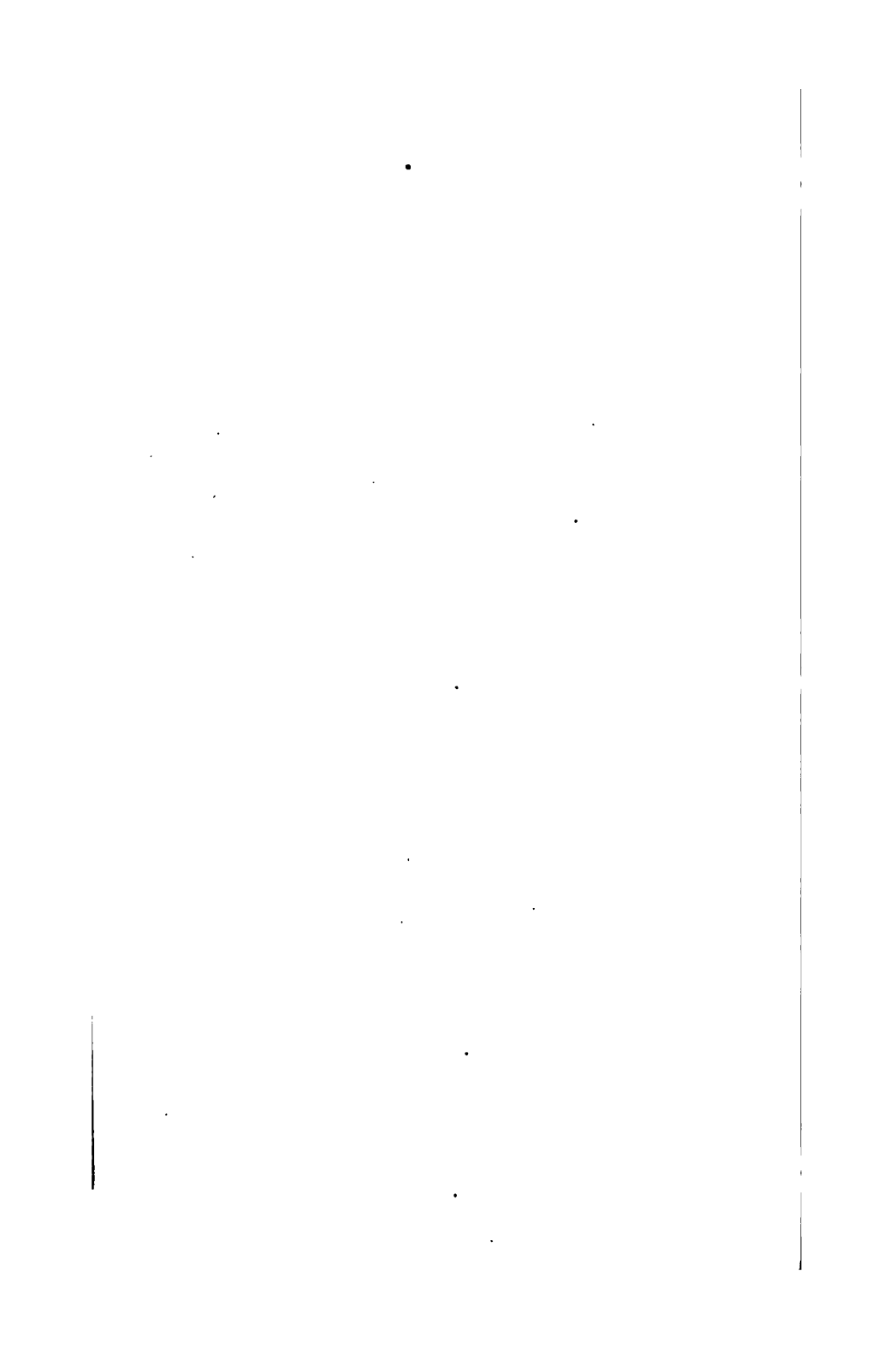
Major HENRY GOODFELLOW, Judge Advocate, will report to the Secretary of War for duty, to relieve Brigadier General WM. MCK. DUNN, who will assume his duties as Judge Advocate General of the Army.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 100.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE.  
*Washington, December 2, 1875.*

The following decision as to the status of Acting Assistant Surgeons is published for the information and government of all concerned:

Acting Assistant Surgeons are entitled to the same protection in their positions, also to the same respectful subordinate conduct and to the same military courtesy, from enlisted men as would be the case if they were commissioned officers. They are placed in the position of commissioned officers, so far as relates to their duties as surgeons, by the United States Government.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }

No. 101. }

WAR DEPARTMENT,

ADJUTANT GENERAL'S OFFICE,

Washington, December 9, 1875.

In future all proceedings of Boards of Survey at stations belonging to a Military Department command will be transmitted to the Department Commander for his action, as contemplated in paragraph 1019, Revised Army Regulations, and they will not be regarded as complete and sufficient vouchers for the settlement of officers' accounts until revised by the Department Commander.

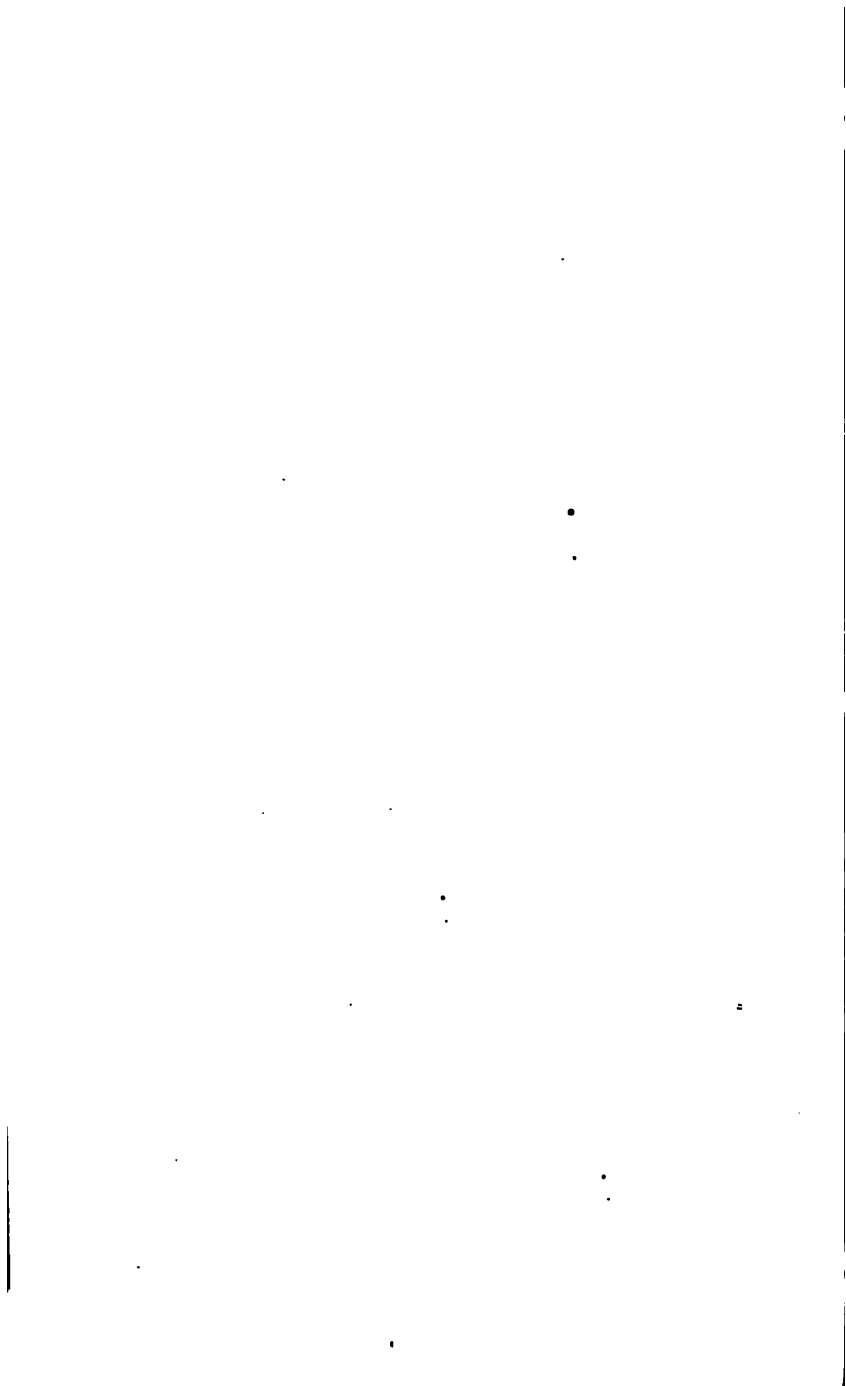
BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



**GENERAL ORDERS }**

**No. 102.**

**WAR DEPARTMENT,**

**ADJUTANT GENERAL'S OFFICE,**

*Washington, November 10, 1875.*

I...Hereafter officers issuing requests for sleeping and parlor car accommodations will be particular to state the number of berths or seats required, but will in no case provide more than one double berth in a sleeping car and one seat in a day parlor car for each person entitled thereto.

II.. Whenever a journey is to be performed covering the route of more than one sleeping or parlor car, separate requests should be issued for each car in which the person is to travel. Officers will be particular to ascertain, so far as possible, the routes covered by sleeping or parlor cars.

III...In case a request is issued calling for sleeping or parlor car accommodations to a point beyond the run of any one car, say from Chicago, Illinois, to Richmond, Virginia, the holder thereof will receipt for the number of berths or seats furnished and the points between which furnished, which in the case cited would be to Washington City.

IV...Holders of requests for such accommodations will in all cases when practicable, and generally it is practicable, present them to the proper agent and obtain tickets for the number of berths or seats required before commencing the journey. When not practicable, berths or seats will be secured from the conductor of the car, it being understood and expected that they will have the choice of such berths or seats as have not already been taken.

V...Persons holding requests for berths or seats in sleeping or parlor cars will avoid altercations with conductors, ticket or other agents, because of their inability to secure the desired accommodations.

VI...Special sleeping or parlor cars will not be chartered at Government expense when such expense exceeds the cost of the number of berths or seats authorized to be furnished.

VII...Whenever it is impracticable for agents or conductors to furnish berths or seats in sleeping or parlor cars because all the berths or seats have been previously taken, or for any other cause, the holder of the request will, on the termination of his journey, return the request to the issuing officer, with a statement of the reasons why it has not been used; which officer will account for it in his report of transportation requests received, issued, canceled, &c., for the month in which it was received by him.

VIII...Disbursing officers in settling for sleeping and parlor car accommodations will in no case pay for more berths and seats than are called for in the request, even though a greater number has been receipted for; and when a less number has been receipted for will only pay for the number receipted for. In case a request is presented for payment, the receipt to which shows that more berths or seats have been furnished than are called for, a report will be made by the disbursing officer to the Quartermaster General, calling his attention to the matter. Payment of the account for the authorized number will not, however, be delayed.

IX...The Quartermaster's Department will pay accounts for sleeping and parlor car accommodations when made out in the name of the company furnishing such accommodations, and based upon requests issued by officers of that Department.

X...Officers traveling without troops, escorts, or supplies, can only be reimbursed the expenses incurred by them for sleeping and parlor car accommodations by the Pay Department.

XI...Hereafter officers traveling with troops, escorts, or supplies will be furnished sleeping and parlor car accommodations, and when it is impracticable for the Quartermaster's Department to furnish the same, the expense incurred by officers for such accommodations will be reimbursed through the Treasury Department. Accounts for such expenses should, however, be forwarded to the Quartermaster General properly prepared and certified or sworn to, and, if approved by him, they will be referred to the proper officers for payment.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND.

*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

GENERAL ORDERS }  
No. 103. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, December 11, 1875.*

For convenience of, and to prevent delay in, the public business where considerable amounts are required for postage monthly, as at the Headquarters of Military Divisions, Departments, and Districts, the following will be observed:

Commanding officers of Divisions, Departments, and Districts may order their disbursing Quartermasters to purchase such postage stamps as may be required for use during the month at their respective Headquarters—these stamps to be accounted for as so much money in safe. The stamps to be used in the transmission of official mail matter.

At the end of each month an account in favor of the individual officer purchasing the stamps will be prepared and presented to the proper officer of the Pay Department, who will reimburse the officer, as now prescribed in General Orders No. 121, Adjutant General's Office, of December 2, 1870.

Such stamps as may be used by the Quartermaster during the month will be accounted for on a memorandum postage book, as prescribed by the same General Order.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 104. }

WAR DEPARTMENT.  
ADJUTANT GENERAL'S OFFICE,  
*Washington, December 13, 1875.*

The military cemetery at Fort Vancouver, Washington Territory, is announced as a National Cemetery of the fourth class, in addition to those named in General Orders No. 51, of 1872; Nos. 3 and 53, of 1874, and Nos. 48 and 87, of 1875, from this Office.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*





GENERAL ORDERS }  
No. 105.

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
*Washington, December 14, 1875.*

I...General Orders No. 103, War Department, Adjutant General's Office, 1874, is so far modified as to allow, at posts where there may be arms and metallic ammunition, calibre .50, *on hand*, an expenditure for target practice, in addition to the ten rounds of calibre .45 now authorized, of ten calibre .50 cartridges per man each month, or, if preferred, twenty calibre .50 in lieu of ten of each calibre.

II...General Orders No. 2, War Department, Adjutant General's Office, 1873, is hereby so modified as to restore to the Quartermaster's Department the duty of supplying horse and mule shoes and smiths' tools and materials to the *Cavalry*, in addition to the other supplies now issued by that Department.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*



GENERAL ORDERS }  
No. 106. }

WAR DEPARTMENT,  
ADJUTANT GENERAL'S OFFICE,  
Washington, December 16, 1875.

I. On and after the 1st of January next the several National Cemeteries will be classified as follows:—

FIRST CLASS.

( Pay of Superintendents \$75 per month.)

Arlington, Va.	Mound City, Ill.
Andersonville, Ga.	Memphis, Tenn.
Beaufort, S. C.	Murfreesboro', Tenn.
City of Mexico, Mexico.	Marietta, Ga.
Corinth, Miss.	Nashville, Tenn.
Camp Nelson, Ky.	Natchez, Miss.
Chattanooga, Tenn.	Pittsburg Landing, Tenn.
Chalmette, La.	Poplar Grove, Va.
Fredericksburg, Va.	Port Hudson, La.
Gettysburg, Pa.	Richmond, Va.
Hampton, Va.	Salisbury, N. C.
Jefferson Barracks, Mo.	Soldiers' Home, D. C.
Little Rock, Ark.	Vicksburg, Miss.

SECOND CLASS.

( Pay of Superintendents \$70 per month.)

Alexandria, Va.	Fort Scott, Kans.
Alexandria, La.	Knoxville, Tenn.
Brownsville, Tex.	Mill Springs, Ky.
Baton Rouge, La.	Mobile, Ala.
Barranca, Fla.	New Berne, N. C.
City Point, Va.	Philadelphia, Pa.
Culpeper, Va.	Raleigh, N. C.
Fort Leavenworth, Kans.	Wilmington, N. C.
Fort Smith, Ark.	Winchester, Va.
Florence, S. C.	Yorktown, Va.

THIRD CLASS.

( Pay of Superintendents \$35 per month.)

Annapolis, Md.	Fort Donelson, Tenn.
Camp Butler, Ill.	Jefferson City, Mo.
Cold Harbor, Va.	Keokuk, Iowa.
Danville, Va.	New Albany, Ind.
Fayetteville, Ark.	Springfield, Mo.
Fort Gibson, Indian Ter.	

## FOURTH CLASS.

*( Pay of Superintendents \$60 per month. )*

Battle Ground, D. C.	Grafton, W. Va.
Ball's Bluff, Va.	Lexington, Ky.
Beverly, N. J.	Laurel, Md.
Cave Hill, Ky.	Lebanon, Ky.
Crown Hill, Indiana.	Loudon Park, Md.
Cypress Hills, N. Y.	Rock Island, Ill.
Fort Harrison, Va.	Santa Fé, N. M.
Fort St. Philip, La.	San Antonio, Tex.
Finn's Point, N. J.	Seven Pines, Va.
Fort McPherson, Neb.	Staunton, Va.
Fort Vancouver, Wash. Ter.	Woodlawn, (Elmira,) N. Y.
Glendale, Va.	

II.. The limits of the National Cemetery at Jefferson Barracks, Missouri, are extended as follows, viz: On the east, south, and west sides one hundred feet outside the present enclosing wall, and on the north side to embrace the land lying between this front of the cemetery and the present wooden fence running toward the river from the stable, and prolonged west around the east and south sides of the post garden, provided that a suitable yard shall be reserved for the post stable.

BY ORDER OF THE SECRETARY OF WAR:

E. D. TOWNSEND,  
*Adjutant General.*

OFFICIAL:

*Assistant Adjutant General.*

**GENERAL ORDERS** }

No. 107.

**WAR DEPARTMENT,**

**ADJUTANT GENERAL'S OFFICE,**

*Washington, December 31, 1875.*

The attention of officers of the Army is called to that portion of paragraph 4, General Orders No. 69, of 1874, requiring that the allowance of baggage for officers when changing stations (other than field allowance) should be turned over to the Quartermaster's Department for transportation, and also to the law of July 15, 1870, published in General Orders No. 92, of 1870, directing that "no payment shall be made to any officer except by a Paymaster of the Army."

The improper practice which has obtained to a considerable extent among officers of sending packages by express, and when changing stations, of shipping and paying for transportation of their allowance of baggage, and then claiming reimbursement from the Quartermaster's Department, will be discontinued.

**BY ORDER OF THE SECRETARY OF WAR:**

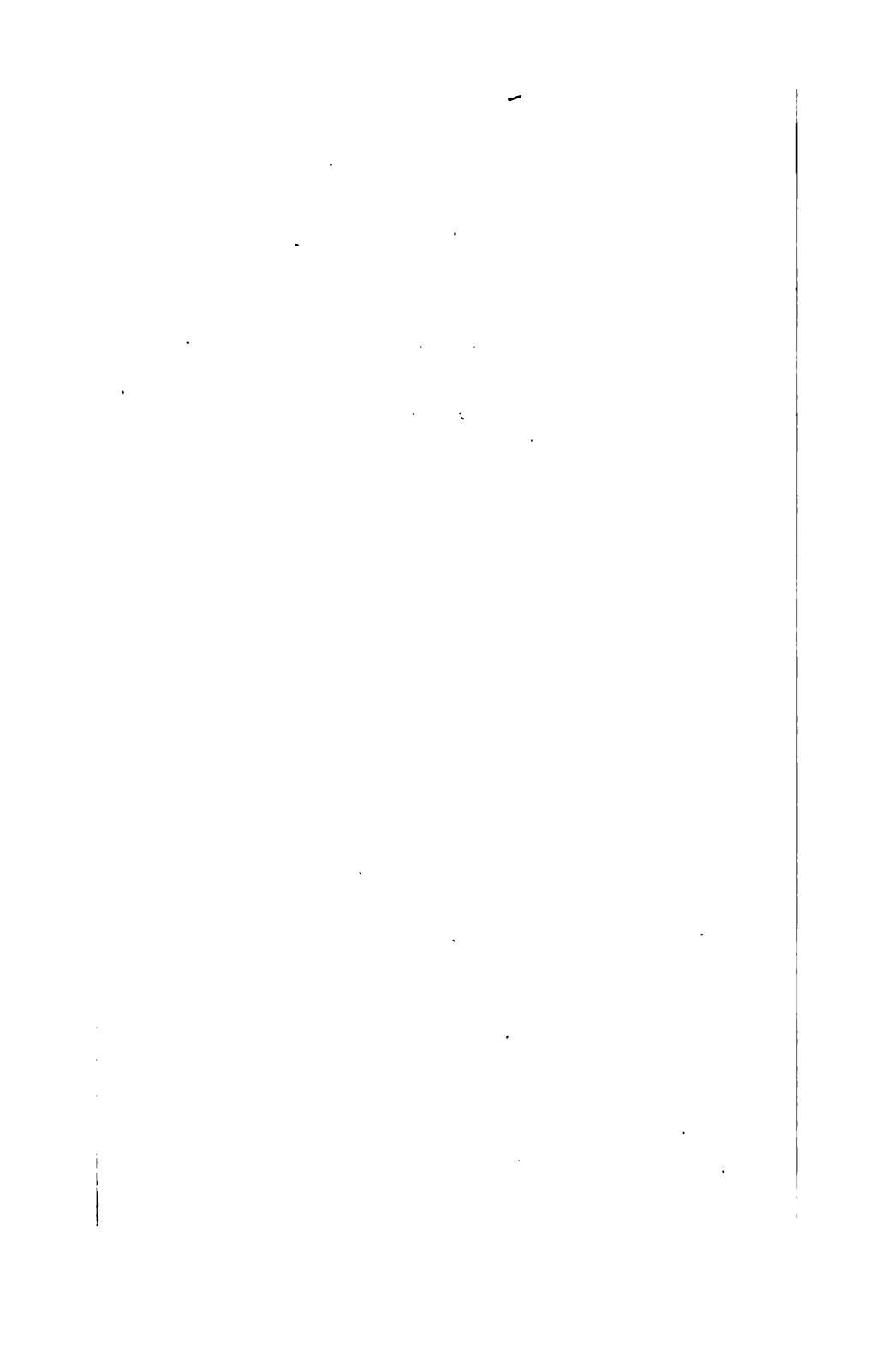
**E. D. TOWNSEND,**

*Adjutant General.*

**OFFICIAL:**

*Assistant Adjutant General.*

[NOTE.—This is the last of the series of General Orders for the year 1875.]













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